

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

CITY COUNCIL AGENDA - August 11, 2025

A regular meeting of the Farmington City Council will be held on Monday, August 11, 2025, 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 –July 14, 2025, City Council Meeting
- 6. Financial Reports
- 7. Entertain a motion to read all ordinances and resolutions by title only.
- 8. Proclamations, special announcements, committee/commission appointments.
 - a. Proclamation Black Hills 811 Day
 - b. Fire Department Life Saving Award A Shift
- 9. Committee Reports
- 10. Items to be removed from City of Farmington Inventory NONE

NEW BUSINESS

- 11. Accept resignation from Chief Brian Hubbard and appoint Mike Wilbanks as Police Chief.
- 12. Resolution No. 2025-11 a resolution authorizing the acceptance of a grant from The Walton Family Foundation.
- 13. Approve Library lawn development.
- 14. Appeal of the Planning Commission decision to deny Large-Scale Development Brand New Church Parking Lot Expansion.

MINUTES



Mayor Ernie Penn

City Attorney Jay Moore

City Clerk Kelly Penn

City Council Member Sherry Mathews Ward 1 Position 1

Council Member Keith Lipford Ward 2 Position 1

Council Member Brenda Cunningham Ward 3 Position 1

Council Member Diane Bryant Ward 4 Position 1

Council Member Hunter Carnahan Ward 1 Position 2

Council Member Linda Bell Ward 2 Position 2

Council Member Bobby Morgan Ward 3 Position 2

Council Member Kara Gardenhire Ward 4 Position 2

A meeting of the Farmington City Council was held on July 14^{th,} 2025, at 6:00 p.m. in the Council Chambers at Farmington City Hall, located at 354 West Main Street, Farmington Arkansas. Mayor Penn called the meeting to order.

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

Pledge of Allegiance

Comments from Citizens – Guy Smith, Clubhouse Parkway, asked for a status report on the Valley View Clubhouse. City Attorney Moore gave a brief update and said the item will be on the August or September City Council agenda.

Approval of the June 9th, 2025, City Council Meeting Minutes

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

Financial Reports

Mayor Penn presented the financial reports to the City Council. Monthly city sales tax increased 3.67%, compared to 2024. Monthly state/county sales tax increased 5.66% compared to 2024.

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

Proclamations, Special Announcements, Committee/Commission Appointments

Mayor Penn announced the Highway 170 dedication ceremony would be held Friday, July 25th at 9:00 am at Farmington High School.

Planning Commissioner Appointment – Matt Hutcherson - A motion to appoint Matt Hutcherson to the vacant Planning Commission seat was made by Council Member Bryant and a second by Council Member Carnahan, and by the consent of all Council Members present after a roll call vote, the motion was approved by a vote of 8-0.

Committee Reports - No committee reports were submitted.

Items to be removed from the City of Farmington - None

Old Business - None

New Business

Resolution No. 2025-10 a resolution in support of an application for the Blue & You Mini Grant.

A motion to approve Resolution 2025-10 was made by Council Member Carnahan and a second by Council Member Morgan and by the consent of all Council Members present after a roll call vote, the motion was approved by a vote of 8-0.

Ordinance No. 2025-06 An ordinance establishing respective cost sharing of health benefits between the city of Farmington and certain police department and fire department retirees and their dependents, and for other purposes.

A motion was made by Council Member Carnahan and seconded by Council Member Cunningham to suspend the rules requiring the motion to be read in full on three separate dates be suspended and that Ordinance 2025-06 be read one time by title only. City Attorney Moore read Ordinance No. 2025-06 by title only. Mayor Penn asked Shall the ordinance pass, after a roll call vote, the motion was approved 8-0. A motion was made to pass Ordinance 2025-06 with an emergency clause by Council Member Carnahan and seconded by Council Member Morgan, after a roll call vote, the motion was approved 8-0.

Angus Lane Widening Bid Award.

On the motion of Council Member Carnahan and a second by Council Member Bryant and by the consent of all Council Members present after a roll call vote, the bid was awarded to Ground Zero Construction in the amount of \$192,440.64 and was approved a vote of 8-0.

Change order for Tennis Court Resurfacing

On the motion of Council Member Carnahan and a second by Council Member Morgan and by the consent of all Council Members present after a roll call vote, the change order in the amount of \$9,872.00 was approved by a vote of 8-0.

Motion to Adjourn

	he meeting adjourned at pm until the next regularly scheduled meeti Chambers at City Hall, located at 354 West Main Street, Farmingto
Ernie Penn, Mayor	
	£
	Kelly Penn, City Clerk

Financial



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

TO:

Farmington City Council

Kelly Penn, City Clerk

FROM:

Mayor Ernie Penn

RE:

Summary of City Financial Report July 2025

- 2025 City Sales Tax Increased by 7.34% in July, compared to July of 2024.
- 2025 State/County Sales Tax Increased by 5.23% in July, compared to July 2024.
- 2025 City Sales Tax Year to date has decreased by (.01%) compared to 2024.
- 2025 State/County Sales Tax—Year to date has increased by 6.59% compared to 2024,
- 2007 Sewer Bond (\$4,500,000), Loan Balance \$1,111,276.04, Bond Payoff Date 10/15/2029.
- 2017 Sales and Use Bonds (5,090,000), Loan Balance \$3,670,000, Bond payoff date 10/1/2037
- **Deposits**: We have deposits on file totaling \$12,616,230 based on statement balances as of 7-31-2025.

MONTH	CITY SAI	LES TAX	CIT	Y SALES TAX		STATE SALES TAX		STAT	
	20	24		2025			2024		2025
JANUARY	\$ 33	37,292.85	\$	276,136.00		\$	171,687.96	\$	181,694.58
FEBRUARY	\$ 3	10,466.86	\$	331,826.36		\$	178,249.76	\$	197,766.35
MARCH	\$ 25	52,525.24	\$	235,802.15		\$	147,819.38	\$	159,540.12
APRIL	\$ 24	46,451.53	\$	246,672.24		\$	156,626.25		160,925.89
MAY	\$ 27	70,601.00	\$	289,298.42		\$	172,760.93		185,588.64
JUNE	\$ 26	68,610.36	\$	283,877.13		\$	167,622.46	\$	177,107.39
JULY	\$ 2	72,671.05	\$	292,689.84		\$	169,833.39	\$	178,708.20
AUGUST	\$ 2	77,447.79				\$	173,797.40		
SEPTEMBER	\$ 28	84,298.71				\$	169,883.98		
OCTOBER	\$ 28	80,939.87				\$	173,833.59		
NOVEMBER	\$ 28	85,966.39				\$	175,703.18		
DECEMBER	\$ 29	97,210.90				\$	175,506.91		
			C	City Sales Tax			State Sales Tax		
Monthly Comparis	on - July 2	024/July					0.074.04		
2025			\$	20,018.79		\$	8,874.81	-	
YTD comparison									
			I.	ase/Decrease for			ease for 2025		
				over 2024 YTD -			r 2024 YTD -		70 704 04
			City :	Sales Tax	\$ (2,316.75)	Stat	te Sales Tax	\$	76,731.04
Total Actual 2025							101 7		
Income vs 2025							al Sales Tax		
Budgeted	County V	Vide Sales					rease/(Decrease)		
Income		ax		City Sales Tax		YIL	2025	\$	74,414.29
Total Budget 2025	\$ 1,9	00,000.00	\$	3,000,000.00					
Actual 2025 (thru									
July)	\$ 1,2	41,331.17	\$	1,956,302.14				J	

	Year-To-Date Jan 2025 Jul 2025 Actual	Annual Budget Jan 2025 Dec 2025	Jan 2025 Dec 2025 Percent of Budget
Revenue & Expenditures			
GENERAL REVENUES			
Revenue			
ACCIDENT REPORT REVENUES	961.83	1,500.00	64.129
ACT 833	18,921.19	30,000.00	63.07 ^d
ALCOHOL SALES TAX	8,649.26	5,000.00	172.99°
ANIMAL CONTROL REVENUES	2,863.50	2,000.00	143.189
BUILDING INSPECTION FEES	244,566.96	230,000.00	106.33
BUSINESS LICENSES	6,865.25	4,000.00	171.63
CITY COURT FINES	71,147.20	120,000.00	59.29
CITY SALES TAX REVENUES	1,950,880.85	3,000,000.00	65.03
COUNTY TURNBACK	607,059.56	660,000.00	91.98
DEVELOPMENT FEES	28,182.25	20,000.00	140.91
FRANCHISE FEES	432,832.15	500,000.00	86.57
GARAGE SALE PERMITS	930.60	1,500.00	62.04
GRANTS	85,623.04	0.00	0.00
INTEREST REVENUES	188,953.52	250,000.00	75.58
MISCELLANEOUS REVENUES	57,838.73	0.00	0.00
Off Duty Police Reimbursement	40,356.55	6,000.00	672.61
PARK RENTAL	5,179.75	7,000.00	74.00
PAYMENT IN LIEU OF IMPROVEMENT	12,700.00	0.00	0.00
SALES TAX - OTHER	1,241,331.17	1,900,000.00	65.33
SPORTS COMPLEX FEES	47,347.47	50,000.00	94.69
SRO REIMBURSEMENT REVENUES	41,044.29	100,000.00	41.04
STATE TURNBACK	75,390.81	100,000.00	75.39
Revenue	\$5,169,625.93	\$6,987,000.00	

	Year-To-Date Jan 2025 Jul 2025 Actual	Annual Budget Jan 2025 Dec 2025	Jan 2025 Dec 2025 Percent of Budget
ADMINISTRATIVE DEPT			
Expenses			
ADDITIONAL SERVICES EXPENSE	157,013.41	190,000.00	82.649
ADVERTISING EXPENSE	5,390.65	7,200.00	74.87%
Bank Charges	5,514.90	6,000.00	91.929
BUILDING MAINT & CLEANING	63,997.36	50,000.00	127.999
CAPITAL IMPROVEMENT	4,687,788.30	0.00	0.00%
ELECTION EXPENSES	10,799.54	5,000.00	215.99%
ENGINEERING FEES	85,184.48	170,000.00	50.119
INSURANCES EXPENSE	41,742.22	90,000.00	46.389
LEGAL FEES	0.00	10,000.00	0.009
MATERIALS & SUPPLIES EXPENSE	14,893.36	30,000.00	49.649
MISCELLANEOUS EXPENSE	24.97	2,000.00	1.250
NEW EQUIPMENT PURCHASE	0.00	10,000.00	0.000
PAYROLL EXP - CITY ATTRNY	45,785.09	70,000.00	65.41°
PAYROLL EXP - ELECTED OFFICIAL	84,057.30	132,000.00	63.68°
PAYROLL EXP - REGULAR	176,952.40	403,561.52	43.859
PLANNING COMMISSION	9,367.20	22,000.00	42.58°
POSTAGE EXPENSE	885.70	2,000.00	44.29
PROFESSIONAL SERVICES	55,969.35	40,000.00	139.92
REPAIR & MAINT - EQUIPMENT	740.70	0.00	0.00
REPAIR & MAINT - OFFICE EQUIP	3,984.39	6,500.00	61.30°
TECHNICAL SUPPORT	74,966.22	75,000.00	99.95
TELECOMMUNICATION EXPENSES	0.00	2,000.00	0.00
TRAVEL, TRAINING & MEETINGS	13,533.72	20,000.00	67.67°
UTILITIES EXPENSES	62,669.88	100,000.00	62.67°
= Expenses	\$5,601,261.14	\$1,443,261.52	

	Year-To-Date Jan 2025 Jul 2025 Actual	Annual Budget Jan 2025 Dec 2025	Jan 2025 Dec 2025 Percent of Budget
ANIMAL CONTROL DEPT			
Expenses			
FUEL EXPENSES	1,004.48	2,200.00	45.66%
MATERIALS & SUPPLIES EXPENSE	131.40	1,100.00	11.95%
PAYROLL EXP - REGULAR	48,490.15	80,936.00	59.91%
PROFESSIONAL SERVICES	6,210.00	15,000.00	41.40%
REPAIR & MAINT - AUTOMOBILES	598.68	1,500.00	39.91%
REPAIR & MAINT - EQUIPMENT	0.00	500.00	0.00%
TRAVEL, TRAINING & MEETINGS	0.00	500.00	0.00%
UNIFORMS/GEAR EXPENSE	0.00	500.00	0.00%
= Expenses	\$56,434.71	\$102,236.00	

	Year-To-Date Jan 2025 Jul 2025 Actual	Annual Budget Jan 2025 Dec 2025	Jan 2025 Dec 2025 Percent of Budget
BUILDING PERMIT DEPT			
Expenses			
FUEL EXPENSES	2,327.80	6,000.00	38.80%
PAYROLL EXP - REGULAR	103,109.10	193,910.17	53.17%
REPAIR & MAINT - AUTOMOBILES	388.03	2,000.00	19.40%
TRAVEL, TRAINING & MEETINGS	1,836.07	5,000.00	36.72%
UNIFORMS/GEAR EXPENSE	480.94	1,000.00	48.09%
= Expenses	\$108,141.94	\$207,910.17	

	Year-To-Date Jan 2025 Jul 2025 Actual	Annual Budget Jan 2025 Dec 2025	Jan 2025 Dec 2025 Percent of Budget
FIRE DEPT			
Expenses			
ADDITIONAL SERVICES EXPENSE	8,128.22	0.00	0.00%
ADVERTISING EXPENSE	0.00	2,000.00	0.00%
FUEL EXPENSES	7,672.04	18,000.00	42.62%
GRANT EXPENSE	3,000.00	0.00	0.00%
HAZMAT EXPENSES	2,881.92	3,400.00	84.76%
MATERIALS & SUPPLIES EXPENSE	13,789.81	32,119.00	42.93%
MISCELLANEOUS EXPENSE	0.00	500.00	0.00%
NEW EQUIPMENT PURCHASE	0.00	127,000.00	0.00%
PAYROLL EXP - REGULAR	736,895.40	1,360,362.64	54.17%
PROFESSIONAL SERVICES	500.00	10,000.00	5.00%
REPAIR & MAINT - BUILDING	33,424.47	50,000.00	66.85%
REPAIR & MAINT - EQUIPMENT	4,097.22	12,150.00	33.72%
REPAIR & MAINT - TRUCK	13,489.51	22,000.00	61.32%
TRAVEL, TRAINING & MEETINGS	11,604.57	18,000.00	64.47%
UNIFORMS/GEAR EXPENSE	9,161.22	35,000.00	26.17%
Expenses	\$844,644.38	\$1,690,531.64	

	Year-To-Date	Annual Budget	Jan 2025
	Jan 2025	Jan 2025	Dec 2025
	Jul 2025	Dec 2025	Percent of
	Actual		Budget
LAW ENFORCE - COURT			
Expenses			
MATERIALS & SUPPLIES EXPENSE	1,390.24	3,000.00	46.34%
MISCELLANEOUS EXPENSE	0.00	400.00	0.00%
NEW EQUIPMENT PURCHASE	0.00	9,600.00	0.00%
PAYROLL EXP - REGULAR	53,130.49	105,000.00	50.60%
POSTAGE EXPENSE	0.00	500.00	0.00%
SPECIAL COURT COSTS	0.00	11,000.00	0.00%
TRAVEL, TRAINING & MEETINGS	150.00	5,000.00	3.00%
Expenses	\$54,670.73	\$134,500.00	

	Year-To-Date Jan 2025 Jul 2025 Actual	Annual Budget Jan 2025 Dec 2025	Jan 2025 Dec 2025 Percent of Budget
LAW ENFORCE - POLICE	WATER CONTROL OF THE PARTY OF T		
Expenses			
ADVERTISING EXPENSE	0.00	100.00	0.00%
BREATHALYZER EXPENSES	355.03	0.00	0.00%
DRUG TASK FORCE	1,500.00	2,000.00	75.00%
FUEL EXPENSES	30,424.16	81,000.00	37.56%
GRANT EXPENSE	3,350.00	0.00	0.00%
MATERIALS & SUPPLIES EXPENSE	52,037.16	150,000.00	34.69%
MISCELLANEOUS EXPENSE	0.00	500.00	0.00%
NEW EQUIPMENT PURCHASE	283,874.35	320,000.00	88.71%
Off Duty Police Pay	4,420.87	15,000.00	29.47%
PAYROLL EXP - REGULAR	1,046,685.26	2,071,616.12	50.53%
PAYROLL EXP - SRO	91,899.10	185,500.00	49.54%
REPAIR & MAINT - AUTOMOBILES	24,956.39	35,000.00	71.30%
REPAIR & MAINT - EQUIPMENT	1,230.00	3,000.00	41.00%
TRAVEL, TRAINING & MEETINGS	3,283.40	15,000.00	21.89%
UNIFORMS/GEAR EXPENSE	12,542.98	25,000.00	50.17%
Expenses Expenses	\$1,556,558.70	\$2,903,716.12	

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		Year-To-Date Jan 2025 Jul 2025 Actual	Annual Budget Jan 2025 Dec 2025	Jan 2025 Dec 2025 Percent of Budget
LIBRARY				
Expenses				
LIBRARY TRANSFER		70,000.00	70,000.00	100.00%
	Expenses =	\$70,000,00	\$70,000,00	

	Year-To-Date Jan 2025 Jul 2025 Actual	Annual Budget Jan 2025 Dec 2025	Jan 2025 Dec 2025 Percent of Budget
PARKS DEPT			
Expenses			
CAPITAL IMPROVEMENT	121,177.22	500,000.00	24.24%
ENGINEERING FEES	16,005.00	30,000.00	53.35%
MATERIALS & SUPPLIES EXPENSE	5,858.78	10,000.00	58.59%
NEW EQUIPMENT PURCHASE	23,823.51	15,000.00	158.82%
PAYROLL EXP - REGULAR	176,772.72	278,964.52	63.37%
PROFESSIONAL SERVICES	17,035.00	30,000.00	56.78%
REPAIR & MAINT - EQUIPMENT	49,597.70	5,000.00	991.95%
SPORTS PARK MATERIALS	20,675.97	25,000.00	82.70%
SPORTS PARK MISC	65.00	0.00	0.00%
SPORTS PARK NEW EQUIP	1,118.35	10,000.00	11.18%
SPORTS PARK PROF SERV	36,831.43	45,000.00	81.85%
SPORTS PARK REPAIR/MAINT	13,400.94	3,000.00	446.70%
SPORTS PARK UTILITIES	10,691.75	15,000.00	71.28%
TRAVEL, TRAINING & MEETINGS	450.00	1,000.00	45.00%
UNIFORMS/GEAR EXPENSE	162.27	1,400.00	11.59%
UTILITIES EXPENSES	11,759.23	8,000.00	146.99%
Expenses	\$505,424.87	\$977,364.52	

	Jan 2025 Jul 2025 Actual	Jan 2025 Dec 2025	Dec 2025 Percent of Budget
Revenue Highway 170 Grant Revenue	3,176,679.04	0.00	0.00%
Revenue	\$3,176,679.04	\$0.00	

	Year-To-Date Jan 2025 Jul 2025 Actual	Annual Budget Jan 2025 Dec 2025	Jan 2025 Dec 2025 Percent of Budget	
Revenue & Expenditures				
Revenue				
COUNTY TURNBACK	0.00	75,000.00	0.00%	
GRANTS	156,998.14	0.00	0.00%	
INTEREST REVENUES	6,151.45	5,500.00	111.84%	
STREET COUNTY TURNBACK	67,281.67	75,000.00	89.71%	
STREET STATE TURNBACK	373,950.12	550,000.00	67.99%	
TRANS FROM GENERAL FUND	0.00	517,006.17	0.00%	
Revenu	e \$604,381.38	\$1,222,506.17		
Expenses				
ADDITIONAL SERVICES EXPENSE	66,562.00	0.00	0.00%	
ADVERTISING EXPENSE	0.00	1,000.00	0.00%	
ENGINEERING FEES	215,491.33	30,000.00	718.30%	
FUEL EXPENSES	5,313.67	12,500.00	42.51%	
MATERIALS & SUPPLIES EXPENSE	9,950.25	20,000.00	49.75%	
MISCELLANEOUS EXPENSE	0.00	500.00	0.00%	
NEW EQUIPMENT PURCHASE	56,768.94	100,000.00	56.77%	
PAYROLL EXP - REGULAR	157,610.60	278,806.17	56.53%	
PROFESSIONAL SERVICES	7,715.13	20,000.00	38.58%	
REPAIR & MAINT - BUILDING	947.94	2,000.00	47.40%	
REPAIR & MAINT - EQUIPMENT	8,298.31	10,000.00	82.98%	
STREET LIGHTS	54,789.66	150,000.00	36.53%	
STREET/ROAD REPAIRS	66,019.00	500,000.00	13.20%	
TRAVEL, TRAINING & MEETINGS	0.00	5,000.00	0.00%	
UNIFORMS/GEAR EXPENSE	0.00	2,200.00	0.00%	
UTILITIES EXPENSES	10,824.79	20,000.00	54.12%	
Expense	s \$660,291.62	\$1,152,006.17		

LIBRARY FUND Statement of Revenue and Expenditures

	Current Period Jan 2025 Jul 2025 Actual	Annual Budget Jan 2025 Dec 2025	Jan 2025 Dec 2025 Percent of Budget
Revenue & Expenditures			
Revenue			
Donations	5,120.00	3,600.00	142.22%
FINES/LOST ITEMS	3,157.62	0.00	0.00%
GRANTS	56,000.00	0.00	0.00%
INTEREST REVENUES	2,226.43	0.00	0.00%
TRANS FROM GENERAL FUND	70,000.00	0.00	0.00%
TRANS FROM GENERAL FUND		70,000.00	0.00%
WASHINGTON CO LIBRARY REVENUES	191,180.00	314,879.00	60.72%
Revenue	\$327,684.05	\$388,479.00	
Expenses			
ADVERTISING EXPENSE	1,071.76	2,000.00	53.59%
BOOKS AND MEDIA	14,350.84	40,500.00	35.43%
BUILDING MAINT & CLEANING		13,000.00	0.00%
MATERIALS & SUPPLIES EXPENSE	5,785.90	19,679.00	29.40%
MISCELLANEOUS EXPENSE		500.00	0.00%
NEW EQUIPMENT PURCHASE		3,000.00	0.00%
PAYROLL EXP - REGULAR	129,331.09	281,500.00	45.94%
POSTAGE EXPENSE		300.00	0.00%
PROGRAMS EXPENSE	2,825.04	6,000.00	47.08%
REPAIR & MAINT - BUILDING	6,109.05	0.00	0.00%
TECHNICAL SUPPORT	9,388.23	15,000.00	62.59%
TRAVEL, TRAINING & MEETINGS	250.00	2,000.00	12.50%
UTILITIES EXPENSES	2,752.36	5,000.00	55.05%
Expenses	\$171,864.27	\$388,479.00	

Agenda Item 10 NO ITEMS

Agenda Item 11

FARMINGTON POLICE DEPARTMENT P.O. BOX 150 / 354 WEST MAIN FARMINGTON, AR 72730 TELEPHONE (479) 267-341 1 FAX (479) 267-5897



August 5, 2025

Honorable Mayor Ernie Penn,

I am writing this letter in regards to my pending retirement from the Farmington Police Department and the City of Farmington effective on September 1st 2025.

It has been an honor to serve the city and the citizens of Farmington for the past 25 years. Friendships have been formed that will last a lifetime.

I have shed blood, sweat, and tears for this city and the citizens, literally. It is with sadness in my heart that I must step down as Chief of Police on September 1st 2025.

I want to thank you for the opportunity to work here in this capacity, all the city staff, and all employees of this city. I want to personally thank all the officers, and the command staff in the department; my forever family of brothers and sisters in arms.

With deepest regards,

Brian Hubbard



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

H/Z

To:

Farmington City Council

City Clerk Kelly Penn

From: Re:

Mayor Ernie Penn Police Chief Promotion

Date:

July 31, 2025

As we mark the retirement of Chief Brian Hubbard following a long and successful tenure as Chief of Police, I want to extend my deep gratitude for his years of dedicated service and leadership. His unwavering commitment to the safety and wellbeing of our community has shaped our police department into one that is professional, trusted, and community focused.

In light of Chief Hubbard's retirement, I respectfully urge the City Council to consider and support the promotion of Deputy Chief Mike Wilbanks to the position of Chief of Police.

Deputy Chief Wilbanks has served our department and our city with exemplary leadership, professionalism, and integrity. With decades of law enforcement experience, he brings a deep understanding of departmental operations, personnel development, and strategic planning. More importantly, he has earned the trust and respect of our officers, staff, and community members through his consistent, principled, and compassionate approach to public service.

Throughout his time as Deputy Chief, Mike Wilbanks has played a pivotal role in enhancing operational effectiveness, strengthening community relations, and mentoring the next generation of law enforcement professionals. His forward-thinking mindset and collaborative leadership style make him exceptionally qualified to take on the role of Police Chief and continue moving the department in a positive direction.

I firmly believe that promoting from within — especially someone as qualified and respected as Deputy Chief Wilbanks — will ensure continuity, boost morale within the department, and maintain the public trust that has been built under Chief Hubbard's leadership.

I respectfully ask for your full support in appointing Deputy Chief Mike Wilbanks as the next Chief of Police for the City of Farmington, effective September 1, 2025. His vision, values, and commitment to service make him the right leader at the right time for our community.

Thank you for your time and thoughtful consideration.

Agenda Item 12

RESOLUTION NO. 2025-11

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE WALTON FAMILY FOUNDATION.

WHEREAS, the Walton Family Foundation has awarded the City of Farmington a grant in the amount of \$450,000 for the purpose of adding lights and landscape elements to Creekside Trail, and

WHEREAS, the acceptance of this grant is in the best interest of the City of Farmington and furthers its mission to address longstanding gap in active transportation infrastructure by linking Farmington residents to the Northwest Arkansas regional trail system at the Fayetteville city limits.

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

The City of Farmington hereby accepts the grant from the Walton Family Foundation in the amount of \$450,000 for the purpose of adding lights and landscape elements to Creekside Trail. The Mayor is hereby authorized to execute all documents necessary to accept and administer the grant on behalf of the City of Farmington.

The City Council commits to utilizing the grant funds in a manner consistent with the terms and conditions outlined in the grant agreement with the Walton Family Foundation.

PASSED AND APPROVED on this 11th day of August 2025.

	APPROVED:
	ERNIE PENN, MAYOR
ATTEST:	
WOLLY DEN DA	
KELLY PENN	
CITY CLERK	



July 10, 2025

Ernie Penn City of Farmington 354 West Main Street Farmington, AR, 72730

RE: Grant 00112990

Dear Ernie,

At the Walton Family Foundation, we work to tackle tough social and environmental problems with urgency and a long-term approach to create access to opportunity for people and communities. To do this, we know we must work with individuals and groups closest to these challenges because they often have the most thoughtful, insightful solutions.

As we support efforts to improve education, protect our rivers and oceans and the livelihoods they support, and promote quality of life in our Home Region, we look to groups like yours. I am pleased to inform you that your grant request has been approved in the amount of \$450,000.00 to construct ~0.7 miles of 10' concrete trail that addresses a longstanding gap in active transportation infrastructure by linking Farmington residents to the Northwest Arkansas regional trail system at the Fayetteville city limits. The attached grant agreement outlines the details.

On behalf of the Walton Family Foundation, I express my appreciation for what your organization has accomplished so far and my optimism for your future success. Together, we can have an impact that improves lives today and that will last to benefit future generations.

Sincerely,

Stephanie Cornell Executive Director

Grant Agreement

July 10, 2025

Grant 00112990

The Walton Family Foundation, Inc. ("Foundation" or "WFF") has approved a grant in the amount of \$450,000.00 to City of Farmington ("Grantee" or "City"). The project term will be July 10, 2025 to April 30, 2026. This grant is subject to the following terms and conditions:

- 1. **Purpose**: The purpose of the grant is to construct ~0.7 miles of 10' concrete trail that addresses a longstanding gap in active transportation infrastructure by linking Farmington residents to the Northwest Arkansas regional trail system at the Fayetteville city limits as more fully described in Appendix A. Grantee agrees to use all grant funds exclusively for the grant's purposes. Any changes in these purposes must be authorized in advance by the Foundation in writing.
- 2. Amount: \$450,000.00 USD

Grant payment will be made as follows:

Amount	Requirement	Date
\$450,000.00	Signed Grant Agreement	August 2025

3. Payable: This grant payment shall be initiated upon receipt of this completed agreement from Grantee acknowledging the terms and conditions set forth herein. Grantee should receive the initial installment electronically within 14 business days of completion.

4. Accounting:

- a. The Foundation encourages, whenever feasible, the deposit of grant funds in an interest-bearing account. For purposes of this agreement, the term "grant funds" includes the grant and any income earned thereon.
- b. Grantee will maintain records of receipts and expenditures made in connection with the grant funds and will keep these records during the period covered by the Grantee's reporting obligations specified in the Reporting and Evaluation paragraph and for at least four years thereafter ("Maintenance Period"). Grantee will make its books and records in connection with the grant funds available for inspection by the Foundation during normal business hours as the Foundation may request at any time during the Maintenance Period.
- 5. **Reporting and Evaluation:** Grantee will provide the Foundation with reports by the due dates listed in the report schedule below. Each report shall include an account of expenditures of grant funds, and a brief narrative of what was accomplished (including a description of progress made in fulfilling the purposes of the grant and a confirmation of Grantee's compliance with the terms of the grant).

Report Type	Report Date
Final Report	April 30, 2026

Success will be measured against the outputs and outcomes described in Appendix A.

All reports will be submitted electronically using the Foundation's online grants management system. Any questions regarding this process should be addressed to your contact listed in the Contact paragraph of this document, or by emailing smartsimplehelp@wffmail.com. Please reference Grant 00112990 on all communication.

Grantee payments are always contingent upon the Foundation's approval of Grantee's operations based on the above reports and the Foundation's satisfaction with such information as it chooses to obtain from other sources.

- 6. Representations: Grantee represents and warrants to the Foundation that:
 - a. Grantee is an organization in good standing, is either an organization described in section 501(c) (3) of the Internal Revenue Code ("Code" or "IRC") or a governmental unit, and is not a "private foundation" described in section 509(a) of the Code. Grantee will promptly notify the Foundation of any change in Grantee's tax status under the Code.
 - b. In no event will Grantee use any grant funds:
 - i. to carry on propaganda, or otherwise to attempt, to influence legislation;
 - ii. to influence the outcome of any **specific** public election or to carry on, directly or indirectly, any voter registration drive; or
 - iii. to undertake any activity other than for a charitable, educational or other exempt purpose specified in section 170(c)(2)(B) of the Code.
 - c. Grantee will comply with all applicable laws and regulations.
 - d. Grantee does not support, directly or indirectly, terrorist activities or violence of any kind, and takes reasonable steps to ensure that:
 - i. Grantee's board, staff and volunteers have no dealings with, and do not support, terrorist activities or violence of any kind, and
 - ii. grant funds will not ultimately be used to support terrorist activities or violence of any kind.
- 7. Anti-Discrimination: It is the Foundation's expectation that, in the application of Foundation's funds, Grantee will encourage equal opportunities for all and will not use the Foundation's funds to promote or engage in: exploitation, abuse, bullying, harassment, criminal acts of violence, terrorism, hate crimes, or any behavior which would be considered a violation of federal anti-discrimination laws, which prohibit discrimination on the basis of age, race, national origin, religious beliefs, sex (including gender, pregnancy, sexual orientation, and gender identity), disability, and veteran status. It is also the Foundation's expectation that Grantee has established appropriate policies and procedures for training staff and receiving and addressing complaints regarding violence, exploitation, abuse, harassment, and discrimination, and other forms of misconduct.
- 8. **Repayment, Rescission, and/or Termination:** The Foundation, in its sole discretion, may discontinue or suspend funding, rescind payments made, require the return of any unspent funds, or terminate this agreement if any of the following events occur:
 - a. Grantee ceases to maintain its tax-exempt status as described in paragraph 6(a) above;
 - b. Grantee fails to comply with the terms of this agreement, including, but not limited to, failure to submit any required reports on a timely basis;

- c. There is a material change in Grantee's key personnel that in the sole opinion of the Foundation adversely affects Grantee's management of the grant;
- d. Grantee does not use funds for the purpose of this grant;
- e. The Foundation determines that Grantee will be unable to achieve the purposes for which the grant was made;
- f. The Foundation becomes aware of actual or alleged acts or omissions to act by Grantee or one or more of Grantee's directors, officers, employees, volunteers, sub-grantees or contractors which the Foundation believes pose a reputational risk to the Foundation, and for which the Foundation determines Grantee has not taken immediate and effective remedial measures;
- g. There is an investigation or allegation of unlawful action or gross misconduct by Grantee, any officer, director, trustee, employee, or agent of Grantee, or any organization affiliated with Grantee, and the Foundation, in its sole discretion, determines such investigation or allegation to be credible; or
- h. The Foundation determines that making any payment, in the judgment of the Foundation, might expose the Foundation to liability, adverse tax consequences, or constitute a taxable expenditure.

The Foundation will provide notice of any determinations made under this paragraph and, in its sole discretion, may provide Grantee up to 30 days to respond to and resolve the issues identified in the Foundation's notice. However, the determination to suspend funding, terminate, or continue the grant will remain in the Foundation's sole discretion.

9. **Grant Publicity:** Grant publicity related to this grant consistent with Grantee's normal practice is permitted, subject to the following provisions. The Foundation expects any announcements and other publicity to focus on Grantee's work and the project or issue funded by the grant. Recognition of the Foundation's role in funding the project is permitted, provided that the timing, content and strategic focus of such publicity should be approved by the Foundation contact listed in the Contact paragraph of this document. Publicizing the grant and the Foundation in Grantee's publications and communications in a manner consistent with similar grants obtained by Grantee is permitted. If publicized or recognized, the grant should be listed as from the "Walton Family Foundation."

The Foundation may ask Grantee to provide illustrations, photographs, videos, recordings, information or other materials related to the grant (collectively "Grant Work Product") for use in Foundation communications including the Foundation's website, annual report, newsletters, board materials, presentations, communications and other publications. Grantee agrees to provide the Foundation with such items upon the Foundation's reasonable request and hereby grants to the Foundation and anyone acting under the authority of the Foundation a fully paid-up, world-wide, right and license to use, reproduce, display and distribute the Grant Work Product in connection with the Foundation's charitable operations and activities. In connection therewith, Grantee shall be responsible for obtaining all necessary rights and permissions from third parties for the Foundation to use the Grant Work Product for these purposes. By signing this Agreement, Grantee also acknowledges and agrees to use by the Foundation of historical, programmatic and other information relating to Grantee and the grant hereunder.

10. **Gratuities:** The Foundation desires that all of Grantee's resources be dedicated to accomplishing its philanthropic purposes. Therefore, Grantee agrees that it will not furnish the Foundation or its Board of Directors, officers, staff or affiliates with any type

of benefit related to this grant including tickets, tables, memberships, commemorative items, recognition items, or any other benefit or gratuity of any kind.

11. **Contact:** For all communications regarding this grant, please contact the Foundation by email at HomeRegion@wffmail.com. Please reference Grant 00112990 in your communication.

By electronically signing this agreement the Grantee acknowledges and agrees to the terms and conditions herein. A copy of the completed document will be emailed to the Grantee through DocuSign. If the electronic signing is not completed by July 24, 2025 the Foundation will consider the Grantee to have declined the grant.

Walton Family Foundation, Inc.	
Ву:	
Stephanie Cornell Executive Director	

By:

Ernie Penn Mayor

City of Farmington

Appendix A: City of Farmington

Description of Grant Project: The purpose of this grant is to construct ~0.7 miles of 10' concrete trail that addresses a longstanding gap in active transportation infrastructure by linking Farmington residents to the Northwest Arkansas regional trail system at the Fayetteville city limits

This project connects Farmington's Creekside Park to the broader trail system, thereby expanding recreational opportunities, enhancing connectivity, and encouraging healthy and sustainable living for both residents and visitors.

The design of the new trail segment includes an upgraded street crossing at Broyles with a rectangular rapid-flashing beacon, raised pedestrian refuge, narrow lanes to reduce vehicle speeds, and lighting along the length of the trail. To build excitement and encourage community use, the City will promote the project through social media, their municipal website, and local outreach. A ribbon-cutting event is planned to celebrate the trail opening.

Performance Measures

Goal: Expa	and and enhance trail use in Farmington.		
Outputs A	s And Outcomes		
Category	Who will do what and how much?	By when?	Measured or evaluated by?
Output	The City of Farmington, through an agreement with a qualified contractor, will complete construction of approximately 3696 linear feet of 10' wide multi-use paved trail that conforms to uniform design and construction standards. Construction of the trail will include trail counters, lights, and two new street crossings at Broyles Street.	11/01/2025	Inspection and Site visits by City of Farmington Staff and Engineering consultant.
Output	The grantee will actively promote the new trail completion with partners using social and print media, making at least three posts on City media platforms.	11/01/2025	Links to post.
Outcome	The average monthly usage on the newly constructed trail will exceed the current usage on the existing trail in Creekside Park as measured by electronic trail counters. City of Farmington/Trail Contractor will install trail counters.	04/30/2026	City will report on average daily or weekly usage of the trail based on newly installed trail counters

Agenda Item 13



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

Memo

To: Farmington City Council Kelly Penn, City Clerk

From: Marie Ingersoll Thru: Melissa McCarville

Re: Approval of Library Lawn Development

Date: August 11, 2025

Recommendation

The Library Staff recommends approving the proposed plans to develop the lot adjacent to the library. We would like the City Council to allow the Librarian to use the \$80,000 received from Project for Public Spaces Grant to complete the project as presented.

Background

The Farmington Public Library has previously used the space for outdoor programs such as Storytime, Trike Theater, Crystal Bridges Mobile Art Lab, and various other programs. In order to increase programming and site activation, Library staff pursued grant money to create a lasting programming space in the empty lot. In August of 2024, the library was awarded \$80,000 courtesy of the Walton Family Foundation through PPS. With this grant the library has also received technical assistance from PPS staff to engage the community in the development and with planning the project.

Discussion

Library staff are researching local contractors and businesses to hire to complete this project. It is the goal of the library to also utilize local groups such as the Friends of the Farmington Library, the Farmington chapter of the Garden Club, and other community organizations to volunteer time, labor, and resources to the development.

Budget Impact

This is not a budgeted item, the Grant is to be used in its entirety for the project, including potential programming. Any additional costs will be considered and a plan will be made to include in future budgets.

Lawn Improvements at the FARMINGTON PUBLIC LIBRARY STAGE AND CARPENTRY PACKAGE

Pro	ject
for	Public
	Spaces

Spaces

	SHEET INDEX
L-0	COVER SHEET
L-1	LAYOUT AND MATERIALS PLAN
L-2	STAGE DETAILS
L-3	READING NOOK DETAILS
L-4	PICNIC TABLES DETAILS

SCOPE OF WORK - CARPENTERY PACKAGE

THIS PACKAGE INCLUDES ALL LABOR, MATERIALS, TOOLS, AND EQUIPMENT REQUIRED FOR THE FABRICATION AND INSTALLATION OF THE FOLLOWING ELEMENTS:

RAISED STAGE/PLATFORM WITH STORAGE TO INCLUDE

- SUBSTRUCTURE, DECKING, STEPS, RAMPS, FOOTINGS, AND ANCHORAGE FOR THE STAGE
- 2 A BUILT-IN STORAGE CABINET AT THE REAR OF THE STAGE
- FRAMING ELEMENT AT STAGE BACK TO ACT AS BOTH A VISUAL FINISH AND A PHYSICAL BARRIER TO PREVENT ACCESS TO THE TOP OF THE STORAGE CABINET.

CHILDREN'S READING AREA SEATING ELEMENTS TO INCLUDE

- 5x8" PERGOLA STRUCTURE WITH INTEGRATED BENCHES FOR A CHILDREN'S READING AREA (AGES 6-12).
- HEXAGONAL SCULPTURAL WOOD CUBES FOR SEATING AND PLAY.
 ALL NECESSARY ANCHORAGE TO PAVEMENT OR GRADE AS REQUIRED.
- FINISH CARPENTRY AND APPLICATION OF PROTECTIVE COATINGS FOR ALL WOOD ELEMENTS.

CUSTOM PICNIC TABLES TO INCLUDE:

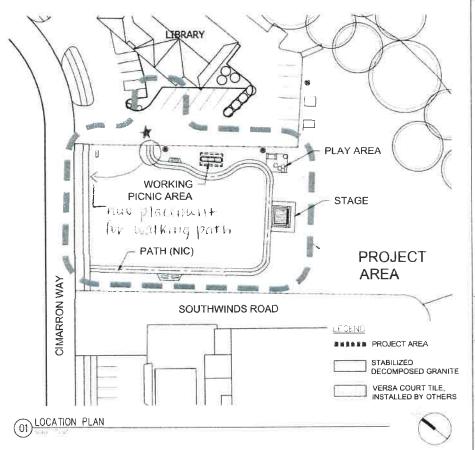
- FABRICATION OF MOVABLE, CUSTOM-DESIGNED PICNIC TABLES FOR A FLEXIBLE OUTDOOR
 WORKING AREA
 W
- TABLES SHOULD BE LIGHTWEIGHT ENOUGH TO ALLOW FOR VARIED CONFIGURATIONS WHILE MAINTAINING DURABILITY

GENERAL NOTES

- THE BASE PLAN SHOWN IN THESE DRAWINGS WAS DEVELOPED FROM A TRACED AERIAL IMAGE AND IS PROVIDED FOR REFERENCE ONLY IT IS NOT TO BE USED FOR CONSTRUCTION LAYOUT OR DIMENSIONING
- THE CARPENTER/FABRICATOR IS RESPONSIBLE FOR PROVIDING SHOP DRAWINGS OR MESURED DRAWINGS FOR ALL CUSTOM ELEMENTS. THESE MUST BE SUBMITTED FOR REVIEW AND APPROVAL BY THE LIBRARY PRIOR TO FABRICATION.

COORDINATION REQUIREMENTS:

- THE CARPENTER/FABRICATOR SHALL COORDINATE CLOSELY WITH THE SITEWORK CONTRACTOR FOR SUBGRADE AND BASE CONDITIONS TO ENSURE PROPER INTEGRATION OF ALL WOOD ELEMENTS
- ALL ANCHORAGE AND ALIGNMENT MUST BE CONFIRMED WITH THE SITE CONTRACTOR PRIOR TO INSTALLATION.
- 5. COORDINATION OF SCHEDULE AND WORKMANSHIP WITH OTHER TRADES, INCLUDING THE SITEWORK CONTRACTOR RESPONSIBLE FOR PAVED SURFACES, IS REQUIRED TO ENSURE PROPER FIT, ELEVATION ALIGNMENT, AND ANCHORAGE OF ALL WOOD ELEMENTS.
- 6 ALL WOOD USED SHALL BE OF THE HIGHEST QUALITY SUITABLE FOR EXTERIOR USE PROTECTIVE FINISHES MUST BE NON-TOXIC AND SUITABLE FOR HIGH-USE PUBLIC SETTINGS, ESPECIALLY WHERE CHILDREN ARE EXPECTED TO INTERACT WITH THE SURFACES.



Farmington Public Library, Farmington, AR

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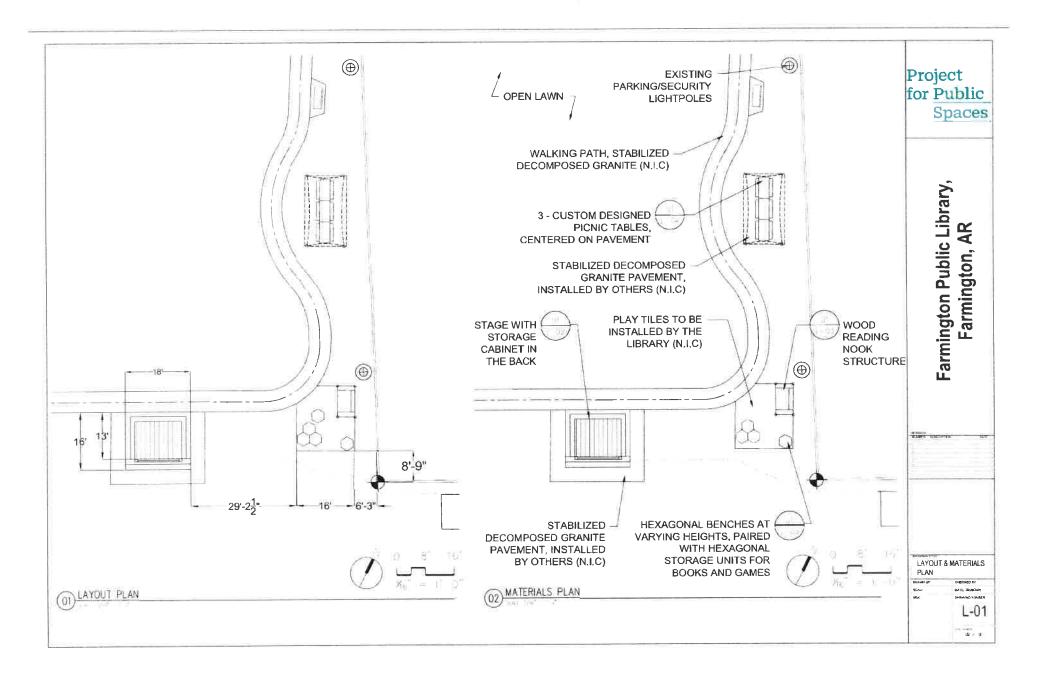
OVER SHEET

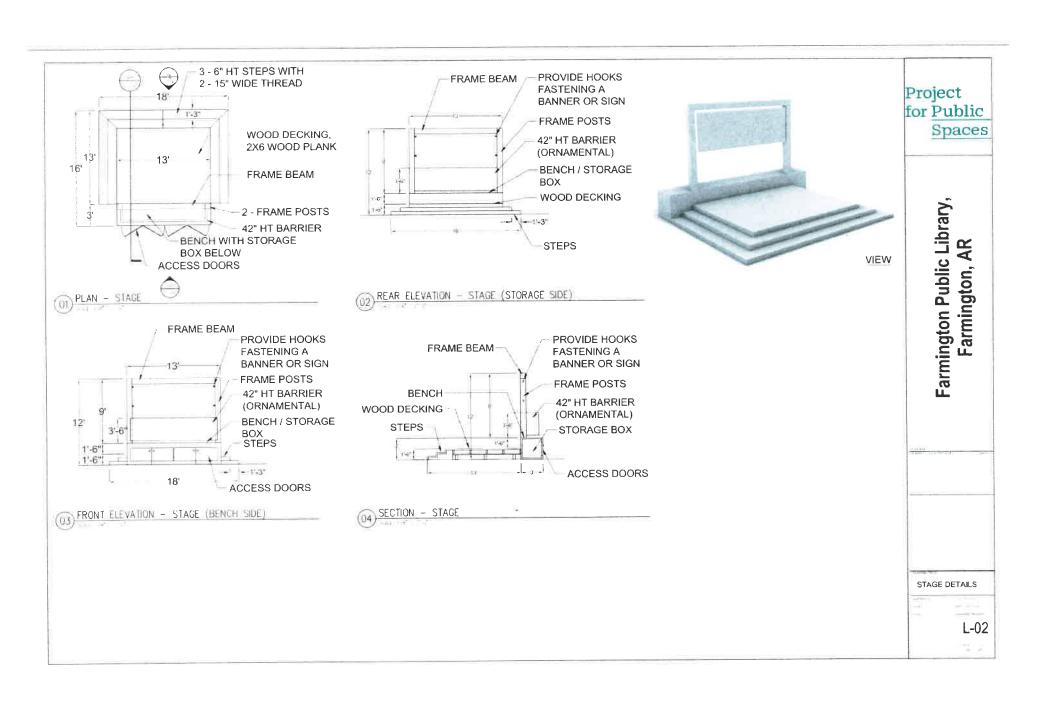
COVER SHEET

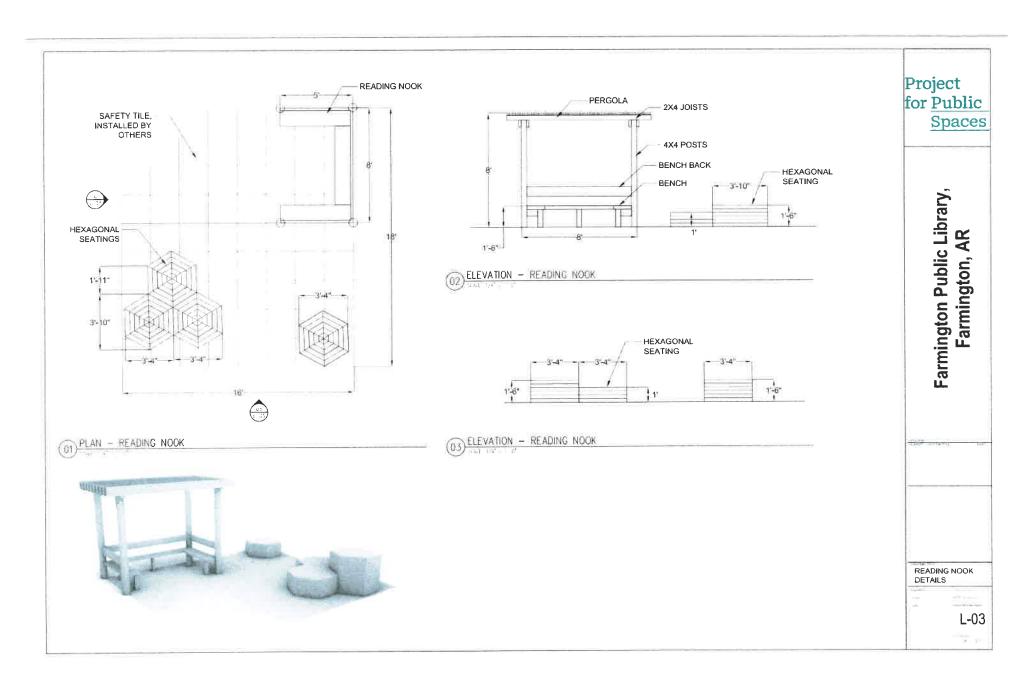
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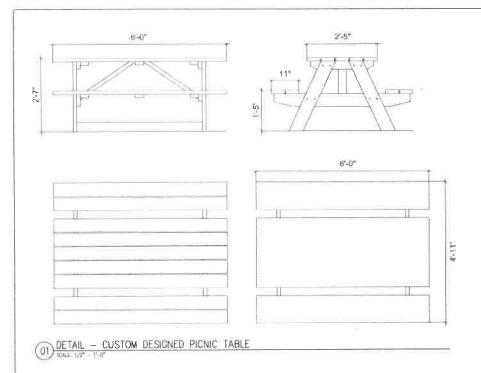
DATE AVABIAGES

DRAFT-JULY 18, 2025









CUSTOM TABLE - CONSTRUCTION & INSTALLATION SPECIFICATIONS

1. GENERAL DESCRIPTION

A CUSTOM-BUILT OUTDOOR WOOD TABLE DESIGNED FOR INSTALLATION OVER DECOMPOSED GRANITE (DG) PAVEMENT. THE TABLE MUST BE SECURELY ANCHORED AND CONSTRUCTED USING WESTERN RED CEDAR.

2. MATÉRIALS

WESTERN RED CEDAR, SELECT GRADE, KILN-DRIED, SURFACED FOUR SIDES (S4S), WITH EASED EDGES.

FINISH: CLEAR, PENETRATING OIL-BASED EXTERIOR WOOD FINISH WITH UV PROTECTION (E.G., PENOFIN, READY SEAL, OR EQUIVALENT).

FASTENERS: ALL SCREWS, BOLTS, AND HARDWARE TO BE STAINLESS STEEL OR HOT-DIP GALVANIZED FOR CORROSION RESISTANCE.

ANCHORING COMPONENTS: SECURE TABLE TO DG SURFACE USING:

GALVANIZED STEEL POST ANCHORS, SET IN CONCRETE FOOTINGS BELOW DG, OR HELICAL ANCHORS WITH LATERAL BRACING PLATES.

ANCHORS TO BE EMBEDDED MINIMUM 24" DEEP OR TO REFUSAL AND INSTALLED PER MANUFACTURER SPECS.

3. DIMENSIONS

6' LONGX 2-5" WIDE TABLETOP, AND 11" WIDE X 6' LONG BENCHES AS PER PROJECT DRAWING.

USE WIDE PLANKS; ATTACH USING CONCEALED FASTENERS OR STAINLESS SCREWS FROM THE UNDERSIDE.

LEGS/BASE:

CONSTRUCT FROM SOLID WESTERN RED CEDAR MEMBERS (MINIMUM 2X6 SUPPORTS), INCLUDE ANGLED BRACING OR STRETCHER BAR IF SHOWN ON THE DETAIL DRAWING,

4, ASSEMBLY

FABRICATION: ALL JOINTS TO BE TIGHT-FITTING WITH EXTERIOR-GRADE WATERPROOF ADHESIVE (E.G., TITEBOND III) AND MECHANICAL FASTENERS, UNDERSIDE TO INCLUDE APPROPRIATE CROSS-SUPPORTS.

INSTALLATION: EXCAVATE DG TO ACCOMMODATE ANCHORS, INSTALL ANCHORS AND POUR CONCRETE FOOTINGS IF APPLICABLE. LEVEL AND PLUMB ALL COMPONENTS. SHIM WITH PRESSURE-TREATED SHIMS OR STAINLESS STEEL WASHERS IF NEEDED. COMPACT DG TIGHTLY AROUND LEGS OR COVER PLATE AFTER INSTALL.

5. FINISH

SAND ALL VISIBLE SURFACES TO 120 GRIT MINIMUM, ROUND EXPOSED EDGES TO 1/4"
RADIUS. APPLY TWO COATS OF EXTERIOR PENETRATING SEALER OR OIL FINISH, WITH
MAINTENANCE REQUIRED ANNUALLY.

6. SUBMITTALS

SHOP DRAWINGS / FIELD-VERIFIED DRAWINGS: THE CARPENTER SHALL PROVIDE SHOP DRAWINGS AND/OR FIELD-MEASURED DRAWINGS FOR APPROVAL PRIOR TO FABRICATION. DRAWINGS MUST BE REVIEWED AND APPROVED BY LIBRARY STAFF AND PPS (PROJECT FOR PUBLIC SPACES) BEFORE WORK PROCEEDS.

7. NOTES

CONFIRM DIMENSIONS AND ALIGNMENT ON SITE BEFORE FABRICATION.
COORDINATE TABLE INSTALLATION WITH DECOMPOSED GRANITE SURFACING TO ENSURE LONG-TERM STABILITY.

CONFIRM THAT FINAL CONFIGURATION MEETS ADA CLEARANCE FOR SEATING OR ACCESS.

Project for <u>Public</u> Spaces

Farmington Public Library Farmington, AR

HOWER TORSCHIPTON	- 0
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PICNIC TABLES DETAILS

L-04

Agenda Item 14



June 24th, 2025

Kelly Penn, City Clerk City of Farmington 354 W. Main Street Farmington, AR 72730

RE: BNC Parking Lot

Dear Mrs. Penn,

This letter is to request that an appeal be added to the City Council agenda. My client, Brand New Church, would like to appeal against the decision made by the Planning Commission on the June 23rd, 2025, meeting. Said appeal will be heard at the August 11th,2025 meeting.

The plans meet all City code and only standard comments remain from the City Engineer. It appears that much of the discussion during the Planning Commission meeting, as well as the concerns raised by neighboring property owners, centered on the access easement and traffic through it — not on the parking lot itself. The easement and associated traffic concerns are civil matters and fall outside the scope of the Planning Commission's authority as it relates to this application.

The church holds a legal right to use the easement for access. Denying the Large Scale Development application (LSD) will not affect that right, nor will it prevent continued use of the easement. We are concerned that there may be a misconception among some neighbors and possibly members of the Commission that denying the LSD will eliminate access through the easement. This is not the case.

Therefore, we would like to request that the decision from Planning Commission be overturned, and BNC be allowed to build the parking lot.

If you have any questions or require additional information, please feel free to contact me at your convenience.

Sincerely,

Bates & Associates, Inc

dduon Marzi

Addie Manzi, E.I. Project Engineer



Mr. Jared Payne Senior Associate Attorney Legacy Law Firm, PLLC 303 E. Millsap Rd., Suite 110 Fayetteville, AR 72703

August 1, 2025

City of Farmington, Arkansas Attn: City Council Members 354 W. Main St. Farmington, AR 72730

Re: Large-Scale Development: Property Located at 12838 Ruby Road, Owned by Brand New Church

Dear City Council Members:

My firm represents Brand New Church regarding its proposed Large-Scale Development Plan for a new parking addition. I regret that I am unable to attend the City Council meeting on August 11th. Please accept this letter as a substitute for the remarks I would provide if I were able to attend.

Background:

Brand New Church has been blessed with significant growth in its congregation over the past several months. With that growth, my client found itself needing to expand its parking accommodations to continue serving its growing membership. My client purchased properties adjacent to its existing building for this purpose.

In a June 2025 Planning Commission meeting, City staff recommended that the Planning Commission approve the Large-Scale Development Plan with four conditions: (1) Brand New Church would have to maintain access to adjacent properties during construction, (2) Brand New Church would have to submit a Grading Permit Application and Fee to the City and hold a preconstruction conference with City staff prior to any site grading, (3) Brand New Church would have to submit sets of final, KMS-approved plans and a drainage report to the City, and (4) the approval would only be effective for a one-year period.

At the meeting, a handful of neighboring property owners opposed the Large-Scale Development Plan. Concerns raised by neighbors include claims of drainage issues, utility interference, decreased property values, and rights of access.

Ultimately, the Planning Commission voted 4-2 to deny approval of the Large-Scale Development Plan, despite Brand New Church meeting all requirements under the City Code for its proposal.

Request for Approval:

My client respectfully requests that you, as Members of the City Council, vote to approve the Large-Scale Development Plan for the reasons set forth below.

First, the Large-Scale Development Plan is professionally designed to meet City Code. The plan is consistent with surrounding land use as it is merely an extension of an existing parking lot to accommodate increased attendance at Brand New Church. City staff reviewed the plan and recommended approval with conditions. Neither the City staff nor the Planning Commission identified on the record any basis in the City Code for denying the Large-Scale Development Plan during the June 2025 meeting. If the Large-Scale Development Plan meets City Code (and by all indications it does), then the City should approve.

Second, opposition from the neighboring landowners, without reliable evidence that their concerns are valid, is not a proper basis for denying the Large-Scale Development Plan. While opposition from neighbors can be considered by a City body making a land use decision, the opposition must reflect "logical and reasonable concerns" to be a proper basis for a decision under Arkansas law. Without reliable evidence to support the validity of neighbors' concerns, opposition cannot be considered "logical" or "reasonable" reasons for denying a Large-Scale Development Plan. In fact, "the mere fact of public opposition to a zoning application will not supply a rational basis for denial of an application." City of Lowell v. M & N Mobile Home Park, Inc., 323 Ark. 332 (1996). To deny the Large-Scale Development Plan simply because a few neighbors oppose the plan would be as condemnable as approving a plan just because nobody speaks against it. It is the City's job to evaluate each application on its merits, measured objectively against the City Code, regardless of the amount of public opposition or support.

Third, the specific concerns raised by the neighboring landowners are premature, unsubstantiated, and in some cases blatantly false. Regarding drainage, work is not yet done and the "drainage issues" that will allegedly be caused are purely speculative. The Large-Scale Development Plan is professionally designed to account for proper stormwater management, and to my knowledge no professional reports have been offered by neighbors to show that drainage is an issue. Likewise, utility interference claims are premature. My client must develop its property in a way that does not interfere with existing utilities. If damage occurs, my client must pay to repair the damage. Brand New Church has no problem doing so. Furthermore, claims of decreased property values have not been substantiated. Neighbors have offered no appraisal reports showing that property values will decrease. Finally, Brand New Church holds all legal access rights needed for its Large-Scale Development Plan. Prior to purchasing its properties, my client had a title company check public records for access rights. This went through the scrutiny of their underwriters, and the title company insured that my client has legal access. In addition, I conducted an independent search of the property records. I too found clear easement rights for my client to access its properties according to its proposed Large-Scale Development Plan, with no restrictions on the volume of traffic that may utilize the easements. Neighbors are attempting to imply that there are restrictions

on traffic volume in the easements, but no restrictions of any sort exist in the easements. Arkansas law is clear: "any restriction on the use of land must be clearly apparent in the language of the asserted covenant". *Royal Oaks Vista, L.L.C. v. Maddox,* 372 Ark. 119 (2008). Thus, claims that my clients do not have appropriate access rights are false.

Beyond this, the landowners' concerns are civil matters that can be decided between all landowners without the City having to mediate. Brand New Church has attempted to work with its neighbors to mitigate any concerns, and it remains committed to doing so. If drainage does become an issue (and there is no indication that it will), then Brand New Church will address it. If utilities are damaged, Brand New Church will repair them.

Conclusion:

I recognize that you as members of the City Council have a very difficult job, for which you do not get enough appreciation. No matter how you decide, people will not be happy. An approval means several landowners will be upset, and a denial means a church congregation will be dissatisfied. Thus, my client requests that you consider its Large-Scale Development Plan not on the basis of who protests the loudest, but on the merits of the plan itself. If you feel compelled to deny the Large-Scale Development Plan, my client requests that you state the reasons for your denial on the record, so that it may work to address your concerns. However, Brand New Church respectfully asks that you vote to approve its Large-Scale Development Plan, with the conditions previously recommended by City staff. Regardless of outcome, Brand New Church looks forward to continuing to serve the people of Farmington.

Respectfully,

181 Jared Payne

Jared Payne

(479)249-6138 jared.payne@legacylawfirmpllc.com



Traffic Impact Study: Brand New Church - Ruby Lane Corridor

512 W Main St, Farmington, AR Prepared August 1, 2025

Prepared for: Farmington Planning Commission & Brand New Church

Executive Summary

This study evaluates traffic flow surrounding Brand New Church at 512 W Main St during Sunday service hours. The analysis focused primarily on Ruby Lane, which serves as a key exit corridor toward HWY 62. Over five observation dates, the study confirmed minimal, short-duration congestion with no safety incidents. Recommended improvements include minor volunteer support, directional signage, and potential long-term road widening to enhance traffic efficiency without disrupting local residences.

1. Service Schedule

Service Time

Service 1 09:30 AM - 10:30 AM

Service 2 11:00 AM - 12:00 PM

Two services are held in the sanctuary with a 30-minute turnover window between them.

2. Study Area Focus

- **Primary Concern:** Traffic in front of residences on Ruby Lane, which runs perpendicular to West Main St.
- Key Intersections: Church exit driveway → West Main St → HWY 62 (via Ruby Lane).

3. Study Objectives

This traffic study was commissioned to evaluate and present findings to the Farmington Planning Commission. The goal was to demonstrate that no safety issues exist related to the traffic patterns observed during church service times, particularly with regard to traffic flow on Ruby Lane and the surrounding areas. By showing that traffic congestion is minimal and short-lived, the church seeks to establish that no added risks are posed to the residences along Ruby Lane or surrounding infrastructure.

4. Observed Traffic Patterns

Arrival Patterns

- 09:15-09:30 AM: Congregants arrive; traffic gradually increases but remains orderly.
- **09:30–10:15 AM:** Peak arrival for Service 1; orderly entry with minimal Ruby Lane spillover.

Departure Patterns: Service 1

- 10:30–10:35 AM: Congregants begin exiting the parking lot.
- 10:35–10:50 AM: Minor congestion observed on Ruby Lane due to wait time to enter HWY 62.

Overlap: Service 1 Departure / Service 2 Arrival

- 11:45–12:00 PM: Some overlap occurs; no significant delays.
- 12:00-12:05 PM: Departure volume increases.
- 12:05–12:20 PM: Slight congestion reappears; quickly resolves.

5. Quantitative Congestion Observations

- **10:45 AM:** Vehicles queued behind 12839 Ruby Lane for approx. 3.5 minutes waiting to merge.
- **12:10 PM:** Vehicles queued behind 12881 Ruby Lane for approx. 5.5 minutes.
- No incidents or hazards were reported during these periods.

6. Summary of Ruby Lane Traffic Conditions

- 10:35–10:50 AM: Brief moderate queuing caused by merging delay onto HWY 62.
- 12:05–12:20 PM: Second short-lived congestion period of similar nature.
- Both are low-risk and resolve within 15 minutes.

7. Recommendations

- 1. Volunteer Traffic Guides: Assign volunteers during key departure windows.
- 2. Stagger Exit Flow: Encourage staggered departure after Service 2.
- 3. **Temporary Signage:** Direct traffic toward alternate exits during peak egress.
- 4. Congregant Communication: Promote patient merging behavior and alternate exit awareness.
- 5. **Road Widening Proposal:** Widen Ruby Lane to support improved two-way traffic flow.

7A. Pavement Improvement Justification

Currently, portions of Ruby Lane feature gravel surfacing. Transitioning to fully paved asphalt is recommended for the following reasons:

- Reduced Erosion: Gravel roads are prone to erosion during heavy rain, leading to uneven surfaces and higher maintenance costs.
- Vehicle Protection: Paved roads reduce the likelihood of gravel-related damage to tires, paint, and undercarriages.
- Improved Traction and Safety: Asphalt provides superior traction and a more predictable driving surface, particularly during wet conditions.
- Traffic Durability: Paved roads better withstand repeated Sunday traffic and future growth without developing potholes or washboarding.

Investing in pavement upgrades aligns with the church's commitment to minimizing its traffic impact while ensuring a smooth, safe experience for congregants and nearby residents.

8. Daily Observation Log

Sunday, June 30, 2025

- Light summer attendance; 89 vehicles.
- Queue behind 12839 Ruby Lane lasted under 3 minutes at 10:45 AM.
- Traffic at 12:10 PM moved smoothly due to low overall volume.

Sunday, July 6, 2025

- 116 vehicles attended services.
- 10:40 AM: Queue built up to 5 vehicles; cleared by 10:50 AM.
- Overlap at noon observed; parking attendants minimized disruption.

Sunday, July 13, 2025

- Holiday weekend; ~126 vehicles.
- 10:47 AM: Vehicles paused behind 12839 Ruby Lane for 3 minutes.
- 12:13 PM: Slight congestion (4 cars) at 12881 Ruby Lane; resolved by 12:18 PM.

Sunday, July 20, 2025

- Normal turnout; 110 vehicles.
- 10:50 AM: Queue lasted approximately 4 minutes.
- 12:10 PM: Short wait of 5 vehicles at merge point.

Sunday, July 27, 2025

- 130 vehicles; peak observation date.
- 10:45 AM: 6 cars queued behind 12839 Ruby Lane for 3.5 minutes.
- 12:10 PM: 8 cars queued behind 12881 Ruby Lane; cleared by 12:20 PM.
- Volunteer guides helped maintain flow.

9. Conclusion

Brand New Church's dual-service schedule results in minor, brief congestion on Ruby Lane twice each Sunday — shortly after the first service and again immediately following the second. These delays are primarily due to vehicles waiting to merge onto HWY 62. With simple traffic management strategies like volunteer guidance, signage, and slight timing adjustments, traffic can flow smoothly without impacting neighborhood access or safety.

The traffic study was conducted on 6/30/2025, 7/6/2025, 7/13/2025, 7/20/2025, and 7/27/2025. The findings consistently showed no safety concerns, and the brief congestion did not increase the overall risk to any residence on Ruby Lane.

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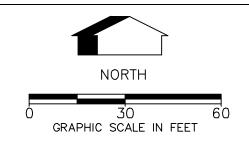
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Umberly Weeks 05-23-2033 PARKING REQUIREMENTS C-2 HIGHWAY COMMERCIAL-TOTAL STANDARD PARKING PROPOSED: 101 SPACES

	LEGEND	
PROPOSED	EXISTING	DESCRIPTION
— AE ——————————————————————————————————		ACCESS EASEMENT
		ASPHALT (EDGE)
		ASPHALT (SURFACE)
•	0	BOLLARD
	—— BSB —— BSB ——	BUILDING BUILDING SETBACK LINE
		CABLE TV (UNDERGROUND)
		CENTERLINE
		CONCRETE (EDGE)
		CONCRETE (SURFACE)
		CONDUIT
		CONTOURS
		CURB & GUTTER DRAINAGE FLOW
[T]	<u>ā</u> ;	DUMPSTER
- UE UE	— ÜÉ —	UTILITY EASEMENT
		ELECTRICAL (UNDERGROUND)
	———ОНЕ ————	ELECTRICAL (OVERHEAD)
		ELECT. TRANSFORMER
######################################		EROSION CONTROL FENCE
		EROSION CONTROL RIP-RAP FENCE (EX. WIRE/PR. SCREENING)
		FIBER OPTIC CABLE
	75	FIRE HYDRANT ASSEMBLY
		FLOWLINE
n- n-	n	FORCE MAIN
• GVa		GAS MAIN
	• 🖄	GAS METER/VALVE GRAVEL (EDGE)
		GRAVEL (SURFACE)
0		IRON PIN - (RE-BAR)
*		ПСНТ
\approx		POND
	Ø	POWER POLE
•		PROPERTY LINE
R/W—— R/W——	— R/W—	RETAINING WALL RIGHT-OF-WAY
S	S)	SANITARY SEWER MANHOLE
	-1-1-1-1-1-1-1-1	SANITARY SEWER PIPE
<i>/</i>		SANITARY SEWER SERVICE
		SECTION/TIE LINE
		SIDEWALK
(STOP) ——	(STOP)	SIGN
3.2.2.2.2.2	₩FFE=1320	SPOT ELEVATION STABILIZED CONSTRUCTION ENT.
		STORM SEWER INLET
		STORM SEWER PIPE
		STRIPE (PAINTED OR STICKY)
	⇧	TELEPHONE PED/MANHOLE
#	ur	TELEPHONE (UNDERGROUND)
		TREE LINE CANOPY
×	© X	TREE/TREE TO BE REMOVED
<u> </u>	XX X	WATER MAIN BLOWOFF VALVE WATER MAIN FIRE DEPT. CONN.
		WATER MAIN PIPE
	\triangleright	WATER MAIN REDUCER
>	\triangleright	WATER MAIN THRUST BLOCK
<u> </u>	W	WATER METER
<u> </u>	Ū	WATER METER (IRRIGATION)
	<u> </u>	WATER VALVE





ALL WORK WITHIN THE CITY OF FARMINGTON RIGHT OF WAY SHALL COMPLY WITH THE CITY OF FARMINGTON STANDARDS AND WILL REQUIRE INSPECTION BY THE CITY OF FARMINGTON.

REGISTERED PROFESSIONAL ENGINEER © ★★★ No. 9810 ✓ 06-10-2025 BATES & ASSOCIATES, INC.

REVISIONS	DATE
1ST SUBMITTAL	2/25/2
ZND SUBMITTAL REMOVED PAVING FROM OUTSIDE THE PROPERTY BOUNDARY	5/11/2
3RD SUBMITTAL	5/19/2
4TH SUBMITTAL	6/10/2

PLANS PARKING LOT

DEVELOPMENT BNC LARGE

FARMINGTON,

Engineers - Surve



DRAWING NO.

