

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

CITY COUNCIL AGENDA November 12, 2024

A regular meeting of the Farmington City Council will be held on Tuesday, November 12, 2024, 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 –October 14, 2024, 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.
- 9. Committee Reports
- 10. Items to be removed from City of Farmington Inventory SEE MEMO

UNFINISHED BUSINESS

11. Ord. No. 2024-13 an ordinance rezoning property at 229 N. Broyles Street, from A-1, agriculture, to MF-2, Residential Multi-Family as requested by MRS Enterprises. Second Reading

NEW BUSINESS

12. Ord. No. 2024-14 an ordinance rezoning property on Wesley Stevens Road, Parcel #760-018027-000, from A-1, Agriculture, to RE-2, Residential Estate as requested by Steven Church.

13. Res. No. 2024-11 a resolution adopting the 2023 Washington County Hazard Mitigation Plan update.

14. Discuss sewer upgrades.

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 October 14th, 2024, at 6:00 p.m. in the Council Chambers at Farmington City Hall, located at 354 West Main Street, Farmington Arkansas. Mayor Ernie Penn called the meeting to order.

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

Pledge of Allegiance

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

Special Public Comment

Prairie Grove Mayor David Faulk asked to address the council to thank Farmington for assistance, he specifically thanked Melissa McCarville & LeAnn Tolleson for helping them in an administrative emergency today. He thanked Mayor Penn for always being a good neighbor and looked forward to the two cities working together in the future.

Approval of September 9th, 2024, City Council Minutes

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 by a vote of 7-0.

Financial Reports

Mayor Penn presented the financial reports to the City Council. The monthly city sales tax increased by 1.051%. The monthly state/county sales tax increased by 1.046%.

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

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

<u>Proclamations, Special Announcements, Committee/Commission Appointments</u> - <u>Mayor</u> Penn reminded the city council that the November City Council meeting will be Tuesday, November 12th due to the Veterans Day holiday.

Committee Reports - None.

Items to be removed from the City of Farmington Inventory - None.

Old Business

City Clerk Kelly Penn advised the council members that the four items under unfinished business were the same four items the council considered and voted on in the September meeting. The action taken for the next four items is to correct the procedural error and the original vote will not change.

Ordinance No. 2024-06 An ordinance amending Ordinance No. 2023-09 regarding the 2021 Arkansas Fire Prevention Code, providing for an emergency clause and for other purposes.

A motion was made by Council Member Carnahan and a second by Council Member Bryant to suspend the rules and place Ordinance 2024-06 on its second and third reading by title only, and by the consent of all Council Members present after a roll call vote, the motion was approved 7-0. City Attorney Moore read Ordinance No. 2024-06 by title only. Mayor Penn asked "Shall the ordinance pass?". After a roll call vote, the motion to pass Ordinance No 2024-06 was approved 7-0. A motion was made by Council Member Carnahan and seconded by Council Member Morgan to approve the emergency clause for Ordinance No. 2024-06. After a roll vote, the Emergency Clause was approved 7-0.

Ordinance No. 2024-07 An Ordinance rezoning property at 9 Locust Street, Parcel 760-00851-0002 from C-2, Highway Commercial to R-O, Residential Office as requested by Jill Storlie.

Council Member Bryant made a motion, with a second by Council Member Carnahan to suspend the rule requiring the reading of an ordinance in full on three different dates be suspended and for Ordinance No. 2024-07 to be read one time by title only, and by the consent of all Council Members present after a roll call vote, the motion was approved 7-0. City Attorney Moore read Ordinance No. 2024-07 by title only. Mayor Penn Morgan asked" Shall the ordinance pass?" After a roll call vote, the motion to pass Ordinance No 2024-07 was approved 7-0. A motion was made by Council Member Bryant and seconded by Council Member Lipford to pass Ordinance No. 2024-07 with an Emergency Clause and after a roll vote the Emergency Clause was approved 7-0.

Ordinance No. 2024-08 An ordinance rezoning 175 W. Vine, from R-2, Residential Single Family to R-O, Residential Office, as requested by Pedal Pops/Mike Thompson.

Council Member Bryant made a motion, with a second by Council Member Carnahan to suspend the rule requiring the reading of an ordinance in full on three different dates to be suspended and for Ordinance No. 2024-08 to be read one time by title only, and by the consent of all Council Members present after a roll call vote, the motion was approved 7-0. City Attorney Moore read Ordinance No. 2024-08 by title only. Mayor Penn asked, "Shall the ordinance pass?" After a roll call vote, the motion to pass Ordinance No 2024-08 was approved 7-0. A motion was made by Council Member Carnahan and seconded by Council Member Bryant to pass Ordinance No. 2024-08 with an Emergency Clause and after a roll vote the Emergency Clause was approved 7-0.

Ordinance No. 2024-09 An ordinance to appeal of Planning Commission denial for Silo Trails Development for rezoning of property located at 275 E. Old Farmington Road, from R-1 to PUD.

Council Member Carnahan made a motion, with a second by Council Member Morgan to suspend the rule requiring the reading of an ordinance in full on three different dates to be suspended and for Ordinance No. 2024-09 to be read one time by title only, and by the consent of all Council Members present after a roll call vote, the motion was approved 7-0. City Attorney Moore read Ordinance No. 2024-09 by title only. Mayor Penn asked "Shall the ordinance pass?" After a roll call vote, the motion to pass Ordinance No 2024-08 failed by a vote of 6-1, with Council Member Carnahan voting yes.

New Business

Ordinance No 2024-10

An ordinance levying a tax on the real and personal property within the city of Farmington Arkansas for the year 2024 fixing the rate therefore at 4.5 mils and certifying the same to the County Clerk of Washington County, Arkansas.

City Clerk Penn advised the council that the mils have been decreased this year by the county, the previous rate was 4.6, it has decreased to 4.5. Council Member Carnahan made a motion, with a second by Council Member Cunningham to suspend the rule requiring the reading of an ordinance in full on three different dates to be suspended and for Ordinance No. 2024-10 to be read one time by title only, and by the consent of all Council Members present after a roll call vote, the motion was approved 7-0. City Attorney Moore read Ordinance No. 2024-10 by title only. Mayor Penn asked "Shall the ordinance pass?" After a roll call vote, the motion to pass Ordinance No 2024-10 was approved 7-0. A motion was made by Council Member Carnahan and seconded by Council Member Bryant to pass Ordinance No. 2024-10 with an Emergency Clause and after a roll vote the Emergency Clause was approved 7-0.

Ordinance No. 2024-11

An Ordinance to repeal and replace Ordinance No. 3.3 of 2004, which prohibited portable basketball goals for the city of Farmington.

City Attorney Jay Moore presented the updated ordinance at the request of citizens. Council Member Carnahan made a motion, with a second by Council Member Lipford to suspend the rule requiring the reading of an ordinance in full on three different dates to be suspended and for Ordinance No. 2024-11 to be read one time by title only, and by the consent of all Council Members present after a roll call vote, the motion was approved 7-0. City Attorney Moore read Ordinance No. 2024-11 by title only. Mayor Penn asked "Shall the ordinance pass ?." After a roll call vote, the motion to pass Ordinance No 2024-11 was approved 6-1, with Council Member Bryant voting no. A motion was made by Council Member Carnahan and seconded by Council Member Morgan to pass Ordinance No. 2024-11 with an Emergency Clause and after a roll vote the Emergency Clause was approved 7-0.

Ordinance No. 2024-12

An Ordinance ordering the razing (demolition) and the removal of certain structure(s) within the city of Farmington, Arkansas, located at 1152 Club House Parkway; to declare an emergency and for other purposes.

City Attorney Moore advised the council that the citizens in Valley View had requested the property be demolished due to inactivity since the original request was made in 2023. There were six citizens, (Ryan Crawford, Ty Pawley, Mr. Moore, Regina Shaffer, Brandon Pellham and Phillip Miley) who spoke to the council in favor of the demolition, three (Hal Henson, Lisa Bell Henson, and property owner Kenneth Lipsmeyer) against and one citizen (Justin Coyne) asking if the city could build something there.

Council Member Carnahan made a motion, with a second by Council Member Lipford to suspend the rule requiring the reading of an ordinance in full on three different dates to be suspended and for Ordinance No. 2024-12 to be read one time by title only, and by the consent of all Council Members present after a roll call vote, the motion was approved 7-0. City Attorney Moore read Ordinance No. 2024-12 by title only. Mayor Penn asked "Shall the ordinance pass ?." After a roll call vote, the motion to pass Ordinance No 2024-12 was approved 7-0. A motion was made by Council Member Carnahan and seconded by Council Member Morgan to pass Ordinance No. 2024-12 with an Emergency Clause and after a roll vote the Emergency Clause was approved 7-0.

Due to the large number of citizens at the meeting for Ordinance No. 2024-12, Mayor Penn called for a brief recess at 6:53 pm to allow citizens that wished to leave the meeting to do so. Mayor Penn called the meeting back to order at 6:57 pm.

Ordinance No 2024-13

An Ordinance rezoning property at 229 N. Broyles Street, form A-1 Agriculture, to MF-2, Residential Multi Family as requested by MRS enterprises.

Council Member Carnahan made a motion, with a second by Council Member Mathews to suspend the rule requiring the reading of an ordinance in full on three different dates to be suspended and for Ordinance No. 2024-13 to be read one time by title only, and by the consent of all Council Members present after a roll call vote, the motion was approved 7-0. City Attorney Moore read Ordinance No. 2024-13 by title only. Mayor Penn asked "Shall the ordinance pass ?." After a roll call vote, the motion to pass Ordinance No 2024-13 was approved 4-3 with Council Members Bryant, Morgan and Gardenhire voting no. Because the motion did not pass with a two thirds majority, it will be placed on the November City Council agenda on its second reading & third reading by title only.

There being no further business to come before the council, a motion to adjourn the meeting was made by Council Member Morgan and seconded by Council Member Lipford was approved 7-0. The meeting adjourned at 7:11 until the next regularly scheduled meeting to be held Tuesday, November 12th, 2024, in the City Council Chambers at City Hall, located at 354 West Main Street, Farmington, Arkansas.

Mayor Ernie Penn _____

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 October 2024

- 2024 City Sales Tax Increased by 1.034% in October, compared to October of 2023.
- 2024 State/County Sales Tax Increased by 1.031% in October, compared to October of 2023.
- 2024 City Sales Tax Year to date has increased by 8.65% compared to 2023.
- 2024 State/County Sales Tax—Year to date has increased by 1.02% compared to 2023.
- 2007 Sewer Bond (\$4,500,000), Loan Balance \$1,236,082, Bond Payoff Date 10/15/2029,
- 2017 Sales and Use Bonds (5,090,000), Loan Balance \$3,900,000, Bond payoff date 10/1/2037.
- **Deposits**: We have deposits on file totaling \$12,750,022 based on statement balances as of 10-31-2024.

MONTH	CITY SALES TAX	CITY SALES TAX		STATE SALES TAX	-	STATE SALES TAX
	2023			2023		2024
JANUARY	\$ 242,456.22			\$ 161,325.27	ь	171,687.96
FEBRUARY		φ			εs	178,249.76
MARCH						147,819.38
APRIL		\$		\$ 151,045.48	ь	156,626.25
MAY		\$		\$ 169,444.78	ь	172,760.93
JUNE		\$ 268,610.36		\$ 164,302.08	-	167,622.46
JULY		\$		\$ 170,478.78	ь	169,833.39
AUGUST		\$			ь	173,797.40
SEPTEMBER	\$ 270,583.71	\$ 284,298.71		\$ 162,408.64	ф	169,883.98
OCTOBER		Ь			-	173,833.59
NOVEMBER				\$ 166,606.52		
DECEMBER	\$ 258,003.23					
(- -						
Montnly Comparison 2023/October 2	11y Comparison - Uctober 2023/October 2024	<mark>\$ 9,155.05</mark>			<mark>ه</mark>	5,271.14
YTD co	YTD comparison	Increase/Decrease for 2024 over 2023		Increase for 2024		
	_	YTD - City Sales		over 2023 YTD -		
		Тах	\$ 222,914.84	State Sales Tax	φ	41,147.52
Total Actual 2024						
Income vs 2024 Budgeted	County Wide Sales Tax	City Sales Tax				
Income				Total Sales Tax		
Budget 2024	\$1,900,000.00	\$3,000,000.00		Increase YTD 2024	в	264,062.36
Actual 2024 (thru October)	\$ 1,682,115.10	\$ 2,801,305.26				

	Year-To-Date Jan 2024 Oct 2024 Actual	Annual Budget Jan 2024 Dec 2024	Jan 2024 Dec 2024 Percent of Budget	
Revenue & Expenditures				
GENERAL REVENUES				
Revenue				
ACCIDENT REPORT REVENUES	1,423.00	1,500.00	94.87%	
ACT 833	33,044.86	25,000.00	132.18%	
ALCOHOL SALES TAX	7,755.99	5,000.00	155.12%	
ANIMAL CONTROL REVENUES	2,806.80	2,000.00	140.34%	
BUILDING INSPECTION FEES	246,045.26	252,898.36	97.29%	
BUSINESS LICENSES	3,493.60	6,000.00	58.23%	
CITY COURT FINES	137,331.23	120,000.00	114.44%	
CITY SALES TAX REVENUES	2,801,556.72	3,000,000.00	93.39%	
COUNTY TURNBACK	637,063.82	660,000.00	96.52%	
DEVELOPMENT FEES	25,539.25	20,000.00	127.70%	
Donations	2,500.00	0.00	0.00%	
FRANCHISE FEES	550,153.44	500,000.00	110.03%	
GARAGE SALE PERMITS	1,367.80	2,000.00	68.39%	
GRANTS	57,677.18	0.00	0.00%	
INTEREST REVENUES	274,463.80	200,000.00	137.23%	
MISCELLANEOUS REVENUES	168,196.03	0.00	0.00%	
Off Duty Police Reimbursement	5,915.74	6,000.00	98.60%	
PARK RENTAL	9,128.78	5,000.00	182.58%	
PAYMENT IN LIEU OF IMPROVEMENT	72,900.00	0.00	0.00%	
SALES TAX - OTHER	1,682,115.10	1,900,000.00	88.53%	
SPORTS COMPLEX FEES	57,289.27	35,000.00	163.68%	
SRO REIMBURSEMENT REVENUES	103,365.06	100,000.00	103.37%	
STATE TURNBACK	97,243.24	100,000.00	97.24%	
Revenue	\$6,978,375.97	\$6,940,398.36		

	Year-To-Date Jan 2024 Oct 2024 Actual	Annual Budget Jan 2024 Dec 2024	Jan 2024 Dec 2024 Percent of Budget
ADMINISTRATIVE DEPT			
Expenses			
ADDITIONAL SERVICES EXPENSE	177,339.51	190,000.00	93.34%
ADVERTISING EXPENSE	7,319.07	6,000.00	121 .98 %
BANK CHARGE	3,583.19	0.00	0.00%
Bank Charges	0.00	6,000.00	0.00%
BUILDING MAINT & CLEANING	46,615.73	45,000.00	103.59%
CAPITAL IMPROVEMENT	4,730,880.85	0.00	0.00%
ELECTION EXPENSES	0.00	5,000.00	0.00%
ENGINEERING FEES	111,640.97	170,000.00	65.67%
GRANT EXPENSE	9,610.00	0.00	0.00%
INSURANCES EXPENSE	63,307.60	90,000.00	70.34%
LEGAL FEES	3,000.00	10,000.00	30.00%
MATERIALS & SUPPLIES EXPENSE	29,807.12	30,000.00	99.36%
MISCELLANEOUS EXPENSE	1,492.45	2,000.00	74.62%
NEW EQUIPMENT PURCHASE	11,328.18	20,000.00	56.64%
PAYROLL EXP - CITY ATTRNY	67,077.14	70,000.00	95.82%
PAYROLL EXP - ELECTED OFFICIAL	119,358.36	132,000.00	90.42%
PAYROLL EXP - REGULAR	233,859.08	291,871.45	80.12%
PLANNING COMMISSION	14,735.50	22,000.00	66.98%
POSTAGE EXPENSE	1,607.16	2,000.00	80.36%
PROFESSIONAL SERVICES	40,027.55	25,000.00	160.11%
REPAIR & MAINT - OFFICE EQUIP	5,474.77	6,000.00	91.25%
TECHNICAL SUPPORT	90,880.51	65,000.00	139.82%
TELECOMMUNICATION EXPENSES	70.23	10,000.00	0.70%
TRANS TO GENERAL FUND	1,000,000.00	0.00	0.00%
TRAVEL, TRAINING & MEETINGS	16,610.37	20,000.00	83.05%
UTILITIES EXPENSES	89,145.53	90,000.00	99.05%
= Expenses	\$6,874,770.87	\$1,307,871.45	

	Year-To-Date Jan 2024 Oct 2024 Actual	Annual Budget Jan 2024 Dec 2024	Jan 2024 Dec 2024 Percent of Budget
ANIMAL CONTROL DEPT			
Expenses			
FUEL EXPENSES	1,987.14	2,200.00	90.32%
MATERIALS & SUPPLIES EXPENSE	966.95	1,100.00	87.90%
PAYROLL EXP - REGULAR	61,298.45	75,819.75	80.85%
PROFESSIONAL SERVICES	7,000.00	15,000.00	46.67%
REPAIR & MAINT - AUTOMOBILES	693.41	1,500.00	46.23%
REPAIR & MAINT - EQUIPMENT	0.00	500.00	0.00%
TRAVEL, TRAINING & MEETINGS	0.00	500.00	0.00%
UNIFORMS/GEAR EXPENSE	112.56	500.00	22.51%
Expenses	\$72,058.51	\$97,119.75	

	Year-To-Date Jan 2024 Oct 2024 Actual	Annual Budget Jan 2024 Dec 2024	Jan 2024 Dec 2024 Percent of Budget
BUILDING PERMIT DEPT			
Expenses			
FUEL EXPENSES	4,237.09	6,000.00	70.62%
PAYROLL EXP - REGULAR	138,589.59	183,836.46	75.39%
REPAIR & MAINT - AUTOMOBILES	364.74	2,000.00	18.24%
TRAVEL, TRAINING & MEETINGS	4,183.37	5,000.00	83.67%
UNIFORMS/GEAR EXPENSE	420.03	1,000.00	42.00%
Expenses	\$147,794.82	\$197,836.46	

	Year-To-Date Jan 2024 Oct 2024 Actual	Annual Budget Jan 2024 Dec 2024	Jan 2024 Dec 2024 Percent of Budget
FIRE DEPT			
Expenses			
ADVERTISING EXPENSE	0.00	2,000.00	0.00%
BUILDING MAINT & CLEANING	5,904.00	0.00	0.00%
CAPITAL IMPROVEMENT	135,175.09	0.00	0.00%
FUEL EXPENSES	13,882.27	18,000.00	77.12%
HAZMAT EXPENSES	2,881.92	3,400.00	84.76%
MATERIALS & SUPPLIES EXPENSE	10,302.95	31,119.00	33.11%
MISCELLANEOUS EXPENSE	0.00	500.00	0.00%
NEW EQUIPMENT PURCHASE	74,522.88	127,000.00	58.68%
PAYROLL EXP - REGULAR	887,266.97	1,084,953.49	81.78%
PROFESSIONAL SERVICES	6,986.84	7,500.00	93.16%
REPAIR & MAINT - BUILDING	12,907.90	15,000.00	86.05%
REPAIR & MAINT - EQUIPMENT	6,408.87	12,150.00	52.75%
REPAIR & MAINT - TRUCK	13,364.81	20,000.00	66.82%
TRAVEL, TRAINING & MEETINGS	11,147.60	18,000.00	61.93%
UNIFORMS/GEAR EXPENSE	29,618.94	31,000.00	95.54%
= Expenses	\$1,210,371.04	\$1,370,622.49	

	Year-To-Date Jan 2024 Oct 2024 Actual	Annual Budget Jan 2024 Dec 2024	Jan 2024 Dec 2024 Percent of Budget
LAW ENFORCE - COURT			
Expenses			
MATERIALS & SUPPLIES EXPENSE	1,469.48	3,000.00	48.98%
MISCELLANEOUS EXPENSE	0.00	400.00	0.00%
NEW EQUIPMENT PURCHASE	0.00	9,600.00	0.00%
PAYROLL EXP - REGULAR	71,009.97	100,053.41	70.97%
POSTAGE EXPENSE	17.12	1,800.00	0.95%
SPECIAL COURT COSTS	0.00	8,500.00	0.00%
TRAVEL, TRAINING & MEETINGS	460.50	5,000.00	9.21%
= Expenses	\$72,957.07	\$128,353.41	

	Year-To-Date Jan 2024 Oct 2024 Actual	Annual Budget Jan 2024 Dec 2024	Jan 2024 Dec 2024 Percent of Budget
LAW ENFORCE - POLICE			
Expenses			
ADVERTISING EXPENSE	0.00	100.00	0.00%
BREATHALYZER EXPENSES	544.73	700.00	77.82%
DRUG TASK FORCE	1,500.00	2,000.00	75.00%
FUEL EXPENSES	62,367.85	81,000.00	77.00%
MATERIALS & SUPPLIES EXPENSE	73,547.60	150,000.00	49.03%
MISCELLANEOUS EXPENSE	0.00	500.00	0.00%
NEW EQUIPMENT PURCHASE	398,778.30	320,000.00	124.62%
Off Duty Police Pay	13,578.62	15,000.00	90.52%
PAYROLL EXP - REGULAR	1,438,947.43	1,853,967.49	77.61%
PAYROLL EXP - 9RO	112,890.01	180,466.90	62.55%
PROFESSIONAL SERVICES	340.24	0.00	0.00%
REPAIR & MAINT - AUTOMOBILES	27,785.93	35,000.00	79.39%
REPAIR & MAINT - EQUIPMENT	1,826.84	3,000.00	60.89%
TRAVEL, TRAINING & MEETINGS	8,712.37	15,000.00	58.08%
UNIFORMS/GEAR EXPENSE	15,167.03	25,000.00	60.67%
Expenses	\$2,155,986.95	\$2,681,734.39	

	Year-To-Date Jan 2024 Oct 2024 Actual	Annual Budget Jan 2024 Dec 2024	Jan 2024 Dec 2024 Percent of Budget
	ALL LAUL		
	65,000.00	65,000.00	100.00%
Expenses	\$65,000.00	\$65,000.00	
	Expenses	Jan 2024 Oct 2024 Actual 65,000.00	Jan 2024 Jan 2024 Oct 2024 Dec 2024 Actual 65,000.00

	Year-To-Date Jan 2024 Oct 2024 Actual	Annual Budget Jan 2024 Dec 2024	Jan 2024 Dec 2024 Percent of Budget
PARKS DEPT			
Expenses			
CAPITAL IMPROVEMENT	411,264.86	700,000.00	58.75%
ENGINEERING FEES	58,130.00	30,000.00	193.77%
MATERIALS & SUPPLIES EXPENSE	5,951.06	10,000.00	59.51%
NEW EQUIPMENT PURCHASE	0.00	20,000.00	0.00%
PAYROLL EXP - REGULAR	218,816.58	214,460.41	102.03%
PROFESSIONAL SERVICES	53,160.00	3,000.00	1,772.00%
REPAIR & MAINT - BUILDING	267.08	0.00	0.00%
REPAIR & MAINT - EQUIPMENT	2,309.48	6,000.00	38.49%
SPORTS PARK MATERIALS	15,766.85	25,000.00	63.07%
SPORTS PARK NEW EQUIP	16,672.35	10,000.00	166.72%
SPORTS PARK PROF SERV	50,581.86	45,000.00	112.40%
SPORTS PARK REPAIR/MAINT	5,434.54	3,000.00	181.15%
SPORTS PARK UTILITIES	18,491.93	15,000.00	123.28%
TRAVEL, TRAINING & MEETINGS	1,084.50	0.00	0.00%
UNIFORMS/GEAR EXPENSE	640.29	1,400.00	45.74%
UTILITIES EXPENSES	9,225.97	8,000.00	115.32%
= Expenses	\$867,797.35	\$1,090,860.41	

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	Year-To-Date Jan 2024 Oct 2024 Actual	Annual Budget Jan 2024 Dec 2024	Jan 2024 Dec 2024 Percent of Budget
Unallocated			
Revenue			
Highway 170 Grant Revenue	3,251,268.68	0.00	0.00%
Revenue	\$3,251,268.68	\$0.00	

LIBRARY FUND Statement of Revenue and Expenditures

	Current Period Jan 2024 Oct 2024 Actual	Annual Budget Jan 2024 Dec 2024	Jan 2024 Dec 2024 Percent of Budget	
venue & Expenditures				
Revenue				
Donations	3,130.00	0.00	0.00%	
FINES/LOST ITEMS	4,006.39	3,600.00	111.29%	
INTEREST REVENUES	2,026.50	0.00	0.00%	
MISCELLANEOUS REVENUES	892.98	0.00	0.00%	
TRANS FROM GENERAL FUND	65,000.00	65,000.00	100.00%	
TRANSFER INCOME	75,000.00	0.00	0.00%	
WASHINGTON CO LIBRARY	239,840.00	284,205.00	84.39%	
Revenue	\$389,895.87	\$352,805.00		
Expenses				
ADVERTISING EXPENSE		2,000.00	0.00%	
BOOKS AND MEDIA	38,254.78	40,500.00	94.46%	
BUILDING MAINT & CLEANING	5,383.24	13,000.00	41.41%	
MATERIALS & SUPPLIES EXPENSE	16,297.45	19,505.00	83.56%	
MISCELLANEOUS EXPENSE		500.00	0.00%	
NEW EQUIPMENT PURCHASE	12,521.62	3,000.00	417.39%	
PAYROLL EXP - REGULAR	192,799.52	246,000.00	78.37%	
POSTAGE EXPENSE		300.00	0.00%	
PROGRAMS EXPENSE	3,050.00	6,000.00	50.83%	
REPAIR & MAINT - BUILDING	4,455.36	0.00	0.00%	
TECHNICAL SUPPORT	11,925.52	15,000.00	79.50%	
TRANS TO MONEY MARKET	75,000.00	0.00	0.00%	
TRAVEL, TRAINING & MEETINGS	1,024.76	2,000.00	51.24%	
UTILITIES EXPENSES	3,984.81	5,000.00	79.70%	
Expenses	\$364,697.06	\$352,805.00		

STREET FUND

Statement of Revenue and Expenditures

	Year-To-Date Jan 2024 Oct 2024 Actual	Annual Budget Jan 2024 Dec 2024	Jan 2024 Dec 2024 Percent of Budget
levenue & Expenditures			
Revenue			
GRANTS	113,643.66	0.00	0.00%
INTEREST REVENUES	7,818.88	5,000.00	156.38%
MISCELLANEOUS REVENUES	13,319.34	100.00	13,319.34%
STREET COUNTY TURNBACK	69,238.11	75,000.00	92.32%
STREET STATE TURNBACK	523,370.72	550,000.00	95.16%
TRANSFER INCOME	731,980.24	731,980.24	100.00%
Revenue	\$1,459,370.95	\$1,362,080.24	
Expenses			
ADVERTISING EXPENSE	0.00	1,000.00	0.00%
ENGINEERING FEES	226,602.97	30,000.00	755.34%
FUEL EXPENSES	11,030.77	12,500.00	88.25%
MATERIALS & SUPPLIES EXPENSE	11,905.53	20,000.00	59.53%
MISCELLANEOUS EXPENSE	0.00	500.00	0.00%
NEW EQUIPMENT PURCHASE	134,291.76	150,000.00	89.53%
PAYROLL EXP - REGULAR	211,101.60	260,980.24	80.89%
PROFESSIONAL SERVICES	18,547.06	2,000.00	927.35%
REPAIR & MAINT - BUILDING	1,243.46	2,000.00	62.17%
REPAIR & MAINT - EQUIPMENT	3,890.37	10,000.00	38.90%
STREET LIGHTS	67,853.21	150,400.00	45.12%
STREET/ROAD REPAIRS	582,586.92	700,000.00	83.23%
TRAVEL, TRAINING & MEETINGS	0.00	500.00	0.00%
UNIFORMS/GEAR EXPENSE	750.70	2,200.00	34.12%
UTILITIES EXPENSES	13,465.42	20,000.00	67.33%
Expenses	\$1,283,269.77	\$1,362,080.24	

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: BRIAN HUBBARD, CHIEF Re: REMOVAL OF UNIT

Date: 11/12/2024

Recommendation

Requesting the removal of 2 Dodge Charger units from inventory. Unit 15-01 VIN# 2C3CDXAT6GH298129 Unit 16-01 VIN# 2C3CDXAT6FH837055

Background

These vehicles are being taken off the street and replaced with Chevrolet Tahoes which are already on patrol.

Discussion

Both of these vehicles are above 111K miles and in need of constant mechanical repair.

Budget Impact

\$0



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: Melissa McCarville
- Re: Remove one (1) Sonic Firewall TZ400

Date: November 12, 2024

Recommendation

Requesting the removal & destruction of one (1) Sonic Firewall TZ400, serial #18B169884D9C, inventory tag #726.

Background

The firewall is outdated.

Budget Impact

\$0

Agenda Item 11

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ORDINANCE NO. 2024-13

AN ORDINANCE REZONING PROPERTY AT 229 N. BROYLES STREET, FROM A-1, AGRICULTURE, TO MF-2, RESIDENTIAL MULTI-FAMILY AS REQUESTED BY MRS ENTERPRISES

WHEREAS, the City of Farmington, Arkansas amended its official zoning and zoning map by Ordinance 2015-06 on September 14, 2015, which was filed for record in the Office of the Circuit Clerk and Ex-Officio Recorder for Washington County, Arkansas in File 2015- 00034769; and

WHEREAS, certain real property owned by MRS Enterprises is zoned A-1, Agriculture; and

WHEREAS, after a public hearing on September 23, 2024, the Farmington Planning Commission voted during a regular scheduled meeting to rezone the real property owned by MRS Enterprises from A-1, Agriculture to MF-2, Residential Multi-Family.

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

<u>SECTION 1.</u> That the zone classification of the following described property is hereby changed as follows:

A-1, Agriculture to MF-2, Residential Multi-Family for the real property described in Exhibit "A" which is attached hereto and made a part hereof.

SECTION 2. That the official zoning map of the City of Farmington, Arkansas, is hereby amended to reflect the zoning change provided in Section 1 above.

<u>SECTION 3.</u> EMERGENCY CLAUSE: That the City Council of the City of Farmington, Arkansas further determines that this ordinance is necessary to adequately promote the of the inhabitants of the City; therefore, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED, APPROVED AND IN EFFECT this 12th day of November 2024.

APPROVED:

By:

Ernie Penn, Mayor

ATTEST:

Kelly Penn, City Clerk

EXHIBIT A

PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION TWENTY-THREE (23), TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY-ONE (31) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF FARMINGTON, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION 23, SAID POINT BEING IN NORTH BROYLES STREET; THENCE ALONG SAID NORTH BROYLES STREET, N02°19'10"E A DISTANCE OF 378.00 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID NORTH BROYLES STREET, N87°47'43"WA DISTANCE OF 189.56 FEET TO A FOUND 1/2 INCH REBAR; THENCE S02°10'54"WA DISTANCE OF 149.81 FEET TO A FOUND 3/8 INCH REBAR; THENCE N87°43'47"WA DISTANCE OF 290.00 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE N02°20'13"E A DISTANCE OF 72.00 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE N87°43'47"W A DISTANCE OF 88.92 FEET TO A FOUND 1/2 INCH REBAR; THENCE N02°14'21"E A DISTANCE OF 227.85 FEET TO A FOUND IRON PIN WITH CAP "PS 1532"; THENCE S87°44'50"E A DISTANCE OF 568.42 FEET TO A POINT IN SAID NORTH BROYLES STREET; THENCE ALONG SAID NORTH BROYLES STREET, S02°19'10"WA DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3.11 ACRES (135,638 SQUARE FEET), MORE OR LESS, AND SUBJECT TO THE RIGHT-OF-WAY OF NORTH BROYLES STREET ON THE EAST SIDE THEREOF AND ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD AND FACT.

City of Farmington Application for Rezoning

Please fill out this form completely, supply all necessary information to support your request. Your application will not be placed on the agenda for Planning Commission until all information is furnished.

Applicant: MRS Enterprises, LLC	Day Phone: (479) 409-2300
Address: PO Box 397 Farmington, AR 72730	Fax:
Representative: Engineering Services, Inc.	Day Phone: (479) 751-8733
Address: P.O. Box 282, Springdale, AR 72765	Fax:(479) 751-8746
Property Owner: MRS Enterprises, LLC	Day Phone: (479) 409-2300
Address: PO Box 397 Farmington, AR 72730	Fax:
Indicate where correspondence should be ser	nt (circle one): Applicant (Representative) - Owner

Describe Proposed Property In Detail (Attach additional pages if necessary)

Property Description Site Address -- 229 N Broyles Street Current Zoning -- A-1 Proposed Zoning -- MF-2

Attach legal description and site plan (a scaled drawing of the property to be rezoned showing accurate lot lines, surrounding zoning, adjacent owners and a north arrow is required.)

Type of zoning requested and reason for request:

The request is to rezone this property from A-1 to MF-2 to allow a multi-family development on this property.

Responsibilities of the Applicant:

1. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit (see attached), that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the City of Farmington has accepted the application and the date of the public hearing has been confirmed. The required Affidavit and supporting exhibits (mailing receipts, list of property owners of record and copy

of notice) shall be filed with the City of Farmington no later than seven (7) days prior to the meeting date. A sample notice is attached.

2. Pay a \$25.00 application fee

3. Provide a copy of the deed of the property.

4. Written authorization from the property owner if someone other than the owner will be representing the request.

5. Publish the following notice of public hearing in a newspaper serving the City (Northwest Times, the Morning News, Arkansas Democrat-Gazette or The Farmington Post). THE NOTICE MUST APPEAR IN THE PAPER A MINIMUM OF 15 DAYS BEFORE THE PUBLIC HEARING DATE.

NOTICE OF PUBLIC HEARING

A petition to rezone the property as described below has been filed with the City of Farmington on the ______ day of ______ 2023 _____.

PLACE LEGAL DESCRIPTION OF PROPERTY HERE

A public hearing to consider this request to rezone the above described property from

_____to _____ will be held on the _____ day of

, 2023 ____, at 6:00 p.m. at Farmington City Hall,

354 West Main, Farmington, Arkansas. All interested persons are invited to attend.

A copy of the proof of publication from the newspaper must be provided to the City 10 days before the meeting.

The City will post a sign on the property at a location visible to the public, notifying the public of the intent to rezone the property.

Applicant/Representative: I certify under penalty of perjury that the foregoing statements and answers herein made, all data, information and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittel of incomplete, incorrect or false information is grounds for invalidation of the application. I understand that the City of Farmington may not approve my application or may approvel.

Applicant Signature

Date 08/26/2024

Property Owner/Authorized Agent: I certify under penalty of perjury that I am the owner of the property that is the subject of this application and that I have read this application and consent to its filing. (If signed by the authorized agent a jetter from the property owner must be provided indicating that the agent is authorized to action his behalf.)

Owner/Agent Signature

Date 08/26/2024

AGENT AUTHORIZATION

I (We), MRS Enterprises, LLC

_, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s), Engineering Services, Inc. ____, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City of Farmington considering this application and to act in all respects as our agent in matters pertaining to the attached application.

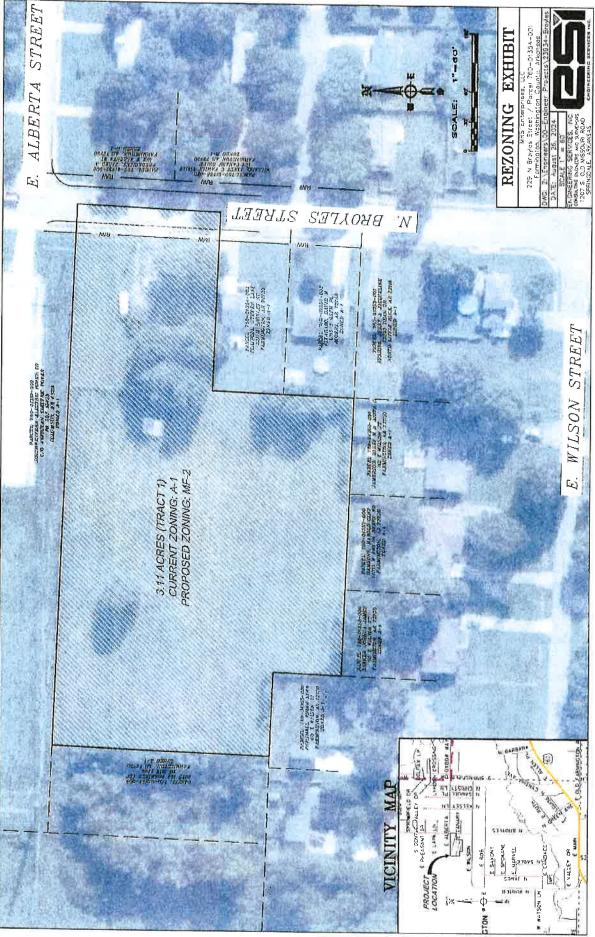
Property Owner Signature

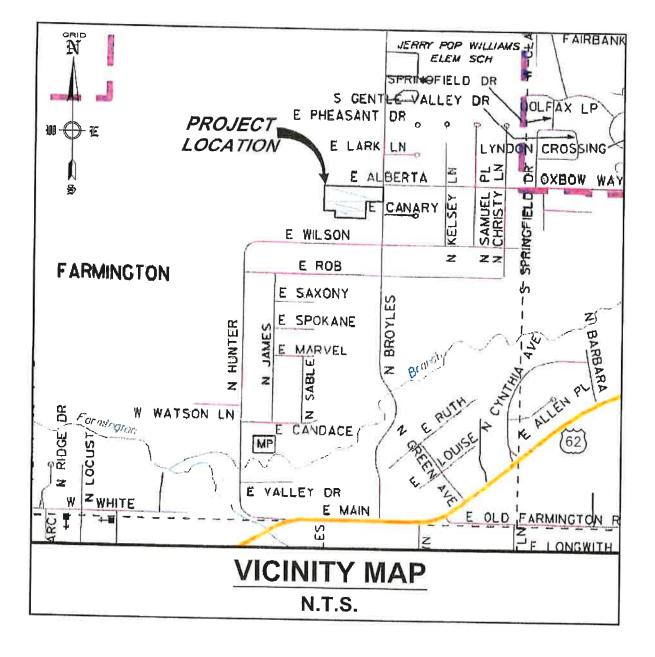
Sury For MKS Ontophis

Property Owner - Print

Property Owner - Signature

Property Owner - Print





Type: REAL ESTATE Kind: WARRANTY DEED Recorded: 2/15/2024 2:06:55 PM Fee Amt: \$25.00 Page 1 of 3 Washington County, AR Kyle Sylvester Circuit Clerk

File# 2024-00003611

This Instrument prepared by: D. Joel Kurtz Attorney at Law Williams Law Firm 100 W Main, Gentry, AR 72734 (479) 736-8800

WARRANTY DEED

(CORPORATE ENTITY)

KNOW ALL MEN BY THESE PRESENTS:

That McDonald Building Group, LLC, an Arkansas Limited Liability Company ("Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto MRS Enterprises LLC, an Arkansas Limited Liability Company ("Grantee"), and unto its successors and assigns forever, the following described lands situated in the County of Washington, State of Arkansas:

A PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION TWENTY-THREE (23), TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY-ONE (31) WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N00°04'E 378 FEET FROM THE SOUTHEAST CORNER OF SAID 40 ACRE TRACT AND RUNNING THENCE N00°04'E 150 FEET; THENCE WEST 568.42 FEET; THENCE S00°04'W 228 FEET; THENCE EAST 88.92 FEET; THENCE S00°04'W 72 FEET; THENCE EAST 290 FEET; THENCE N00°04'E 150 FEET; THENCE EAST 189.5 FEET TO THE POINT OF BEGINNING,

[Legal description provided by Realty Title & Closing Services, LLC.]

Subject to any restrictions, conditions, covenants, rights of way, and easements now of record. Subject to all prior mineral reservations and oil and gas leases.

To have and to hold the same unto the said Grantee and unto its successors and assigns forever, with all tenements, appurtenances and hereditaments thereunto belonging.

And Grantor hereby covenants with said Grantee that it will forever warrant and defend the title to the said lands against all claims whatsoever.

SIGNATURE AND ACKNOWLEDGMENT PAGE FOLLOWS.

Warranty Deed

Page 1 of 2

IN WITNESS WHEREOF, the name of Grantor is hereunto affixed by its undersigned officer as of this $\frac{1}{2}$ day of $\frac{1}{2}$ day of $\frac{1}{2}$ day of $\frac{1}{2}$ day of $\frac{1}{2}$

McDonald Building Group, LLC

By: Dom M. McDonald, Member

Please see the attached Real Property Transfer Tax Affidavit of Compliance for proof of tax paid and the required documentary stamps or documentary symbol.

STATE OF ARKANSAS) COUNTY OF WASHINGTON) STATE OF ARKANSAS) SS. ACKNOWLEDGMENT

On this day personally before me, a Notary Public, duly commissioned, qualified and acting, within and for this County and State, appeared the within named Damon M. McDonald, Member of McDonald Building Group, LLC, an Arkansas Limited Liability Company, to me personally well known (or satisfactorily proven to be such person), who stated that he was duly authorized to execute the foregoing instrument for and in the name and on behalf of said Limited Liability Company, and further stated and acknowledged that pursuant to said authority, he had so signed, executed and delivered the foregoing Deed for the consideration, uses, and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto s	et my hand and official seal this \underline{B} day of
	Notary Repute
My commission expires:	M
	Mail Tax Statement to:

JENNIFER STEWART NOTARY PUBLIC, ARKANSAS WASHINGTON COUNTY Commission #12378169 My Commission Expires 08/19/2030

PO POX 3917 Frunington AR 72770 RTC 23-821671

Warranty Deed

Page 2 of 2

0 1.0853952720 ALUDS



STATE OF ARKANSAS DEPARTMENT OF FINANCE AND ADMINISTRATION MISCELLANEOUS TAX SECTION P.O. BOX 896, LITTLE ROCK, AR 72203-0896

Real Estate Transfer Tax Stamp

Proof of Tax Paid



File Number: 2315287-14

Grantee: Mailing Address:

MRS ENTERPRISES LLC PO BOX 397 FARMINGTON AR 727300397

Grantor: Malling Address: MCDONALD BUILDING GROUP, LLC 671 OXFORD BEND RD FAYETTEVILLE AR 727033886

Property Purchase Price: Tax Amount:

\$360,000,00 \$1,188.00

County: Date Issued: Stamp ID:

WASHINGTON 02/15/2024 73381888

> Washington County, AR I certify this instrument was filed on 2/15/2024 2:06:55 PM and recorded in REAL ESTATE

File# 2024-00003611 Kvle Svlvester - Circuit Clerk

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument

Grantee or Agent Name (printed):	MRS Enterpriser	LLC
Grantee or Agent Name (signature):	WACO Title as Agent	Date: 0/15/0-034
Address:	A	
City/State/Zip:		

Agenda Item 12

ORDINANCE NO. 2024-14

AN ORDINANCE REZONING PROPERTY ON WESLEY STEVENS ROAD. PARCEL #760-018027-000, FROM A-1, AGRICULTURE, TO RE-2, RESIDENTIAL ESTATE AS REQUESTED BY MRS ENTERPRISES

WHEREAS, the City of Farmington, Arkansas amended its official zoning and zoning map by Ordinance 2015-06 on September 14, 2015, which was filed for record in the Office of the Circuit Clerk and Ex-Officio Recorder for Washington County, Arkansas in File 2015- 00034769; and

WHEREAS, certain real property owned by Steven Church is zoned A-1, Agriculture; and

WHEREAS, after a public hearing on October 28, 2024, the Farmington Planning Commission voted during a regular scheduled meeting to rezone the real property owned by Steven Church from A-1, Agriculture to RE-2, Residential Estate.

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

<u>SECTION 1.</u> That the zone classification of the following described property is hereby changed as follows:

A-1, Agriculture to RE-2, Residential Estate for the real property described in Exhibit "A" which is attached hereto and made a part hereof.

<u>SECTION 2.</u> That the official zoning map of the City of Farmington, Arkansas, is hereby amended to reflect the zoning change provided in Section 1 above.

<u>SECTION 3.</u> EMERGENCY CLAUSE: That the City Council of the City of Farmington, Arkansas further determines that this ordinance is necessary to adequately promote the of the inhabitants of the City; therefore, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED, APPROVED AND IN EFFECT this 12th day of November 2024.

APPROVED:

By:

Ernie Penn, Mayor

ATTEST:

Kelly Penn, City Clerk

EXHIBIT A

Legal Description

An undivided one-sixth (1/6) interest in the following lands located in Washington County, Arkansas, to-wit:

The Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section Twenty-one (21), Township Sixteen (16) North, Range Thirty-one (31) West of 5th P.M., containing Forty (40) acres, more or less.

Agenda Item 13

RESOLUTION NO. 2024-11

A RESOLUTION ADOPTING THE 2023 WASHINGTON COUNTY HAZARD MITIGATION PLAN UPDATE

WHEREAS, the City Council of the City of Farmington recognizes the threat that natural hazards pose to people and property within its jurisdiction; and

WHEREAS, the City of Farmington has prepared a multi-hazard mitigation plan, hereby known as 2023 Washington County Hazard Mitigation Plan update in accordance with federal laws, including the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended; the National Flood Insurance Act of 1968, as amended; and the National Dam Safety Program Act, as amended; and

WHEREAS, 2023 Washington County Hazard Mitigation Plan update identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in its jurisdiction from the impacts of future hazards and disasters; and

WHEREAS, adoption by the City of Farmington demonstrates its commitment to hazard mitigation and achieving the goals outlined in the 2023 Washington County Hazard Mitigation Plan update; and

THEREFORE, BE IT RESOLVED by the City Council of the City of Farmington that the City of Farmington adopts the 2023 Washington County Hazard Mitigation Plan update. While content related to the City of Farmington may require revisions to meet the plan approval requirements, changes occurring after adoption will not require the City of Farmington to re-adopt any further iterations of the plan. Subsequent plan updates following the approval period for this plan will require separate adoption resolutions.

PASSED AND APPROVED this 12th day of November 2024.

Ernie Penn, Mayor

Kelly Penn, City Clerk

Agenda Item 14

DISCUSS SEWER UPGRADES