

Minutes of the Regular Farmington City Council Meeting August 14th, 2023

The regular meeting of the Farmington City Council scheduled for Monday, August 14th, 2023, was called to order at 6:00 pm by Mayor Ernie Penn. City Clerk Kelly Penn called the roll and the following Council Members answered to their names: Diane Bryant, Keith Lipford, Brenda Cunningham, Sherry Mathews, Hunter Carnahan, Linda Bell, Bobby Morgan, and Kara Gardenhire. Also present was City Attorney Jay Moore and City Business Manager McCarville.

Comments from Citizens

Kenneth Lipsmeyer 705 NE Essex Drive Bentonville AR– Mr. Lipsmeyer introduced himself to the council as the silent partner for the agenda item later in the meeting.

Phyllis Young, 546 Goose Creek Road – stated she was here to talk about allowing the Planning Commission to approve subdivisions, it is ruining her property but she wants action taken for the future. She is not an engineer but the water is traveling at a great velocity than before the development. She thinks the developers want to settle with her but she has not slept much. It is devastating to her life, she retired to enjoy life The planning commission and city council do not have the right to ruin people's property. If you are going to volunteer then back it up.

City Attorney Moore – addressed Mrs. Young, stating that the Planning Commission has to go by the numbers provided to them by the engineers. There will be a temporary hearing in November and a trial in April 2023.

Approval of the minutes for the July 10th, 2023, meeting.

On the motion of Council Member Morgan and a second by Council Member Bryant 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.

Financials

Mayor Penn presented the financial reports to the City Council. Monthly city sales tax increased 7.9%. Monthly state sales tax increased 7.34%. Year to date there is an increase of 9.19% compared to 2022.

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

On the motion of Council Member Carnahan and a second by Council Member Lipford 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- None.

Mayor Penn recognized the following years of service: Police Chief Hubbard 23 years, Floyd Shelley 15 years, Brian Clevenger, and Taylor Talley 6 years.

Hwy 170 project should be bid early fall once the WWA engineering is completed.

Committee Reports -There were no written reports submitted.

Items to be removed from City of Farmington Inventory-

Police Department- Chief Brian Hubbard- Requesting the removal of Genesis II Radar (G2S-34858, City Tag 064) 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 remove the Genesis II Radar, serial number G2S-34858, city tag 064 from police inventory was approved 8-0.

Police Department- Chief Brian Hubbard- Requesting the removal of AXON Taser X2's

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 motion to remove the following AXON Taser X2's (see below) from police inventory was approved 8-0.

City Tag 643, Serial Number X29002T3D, City Tag 644, Serial Number X29002T0D,

City Tag 646, Serial Number X29002TAP, City Tag 647, Serial Number X29002T6A,

City Tag 649, Serial Number X29002T9E, City Tag 650, Serial Number X29002T9N,

City Tag 651, Serial Number X29002TAM, City Tag 652, Serial Number X29002T9F,

City Tag 653, Serial Number X29002T7F

Old Business – None

New Business

Ordinance No. 2023-13 An Ordinance ordering the razing (demolition) and removal of certain structure(s) within the city of Farmington Arkansas, located at 11520 Clubhouse Parkway; to declare an emergency and for other purposes.

Mayor Penn opened the floor for public comment.

Kenneth Lipsmeyer 705 NE Essex Bentonville AR- stated he was working with two parties to try and find a resolution to the problem. It will take time to do inspections and draw up plans, he believed in time, working with the city this could go away. He asked for the council to give him some time to accomplish this. Council Member Morgan asked how long the golf course had been closed. Mr. Lipsmeyer said before Covid. Council Member Bell asked Mr. Lipsmeyer where he had been, he replied he was a silent partner. Council Member Morgan said we have been dealing with this mess for 5 years, sent multiple letters to the owners, trying to keep the golf course mowed for the residents, and now you show up before we are about to raze the property. Council Member Lipford asked if Mr. Lipsmeyer could be more specific and detailed about his plans for the property. He said that they have had multiple offers to buy the property but there were always road blocks and they could not get it done. He said the building is sound.

Melissa Braddy 11474 Frisco, Vice President of Valley View POA- requested a delayed 30-day vote. The POA would like to try and work with Mr. Lipsmeyer to beautify the community. The clubhouse is unsightly and they do not like it, it is the first thing people see when they drive into Valley View. Maybe the clubhouse and front nine can be repurposed for something other than a golf course, possibly using grants. We are requesting 30 days to work with Mr. Lipsmeyer for a solution, if nothing is done in thirty days, we are in support of razing the property.

Ty Fawley 11287 Kendal Court – Moved into Valley View last year, lives on the golf course, by Mount Farmington, that part of the golf course is pretty much trash. There is a cart path, the area could be repurposed, maybe a city park, there is a lot of growth in the area. I would like to see a time frame for action to be taken. Communication seems to be a problem, keep it open and be specific. It is dangerous for the kids; the site needs to be secured immediately.

Phillip Miley- Riveria Place – was on the POA board when this all happened. Give them a 30-day deadline for action. Diane Bryant polled residents and 9 out of 10 wanted the building razed, it is a safety concern. There are rumors of a pending sale of the golf course. Bring the building to safety code.

Kenneth Lipsmeyer – No current offer on the table.

Mayor Penn closed the item for public comment.

Council Member Bell made a motion to suspend the rule requiring the reading of an ordinance in full on three different dates be suspended and for Ordinance 2023-13 be read one time by title only, it was seconded by Council Member Bryant and after a roll call vote, the motion was approved 8-0. City Attorney Moore read Ordinance 2023-13 by title only. Mayor Penn asked Shall the ordinance pass? After a roll call vote, the motion failed by a vote of 5-3. Council Members Bryant, Carnahan and Bell voted yes. Council Members Lipford, Cunningham, Mathews, Morgan, and Gardenhire voted no. Council Member Carnahan made a motion to place Ordinance 2023-13 on its first reading by title only, it was seconded by Council Member Mathews, and after a roll call vote the motion passed 7-1, with Council Member Bryant voting no. City Attorney Moore read Ordinance 2023-13 by title only.

Resolution No. 2023-07 A Resolution waiving the requirements of competitive bidding for the purchase of ten taser 7's with certification bundle using funds from the Arkansas DPS Public safety equipment grant program (if awarded) for the Farmington police department pursuant to A.C.A 14-58-303 (b) (2) (B)

Council Member Carnahan made a motion to approve Resolution No. 2023, it was seconded by Council Member Morgan after a roll call vote the motion passed 8-0.

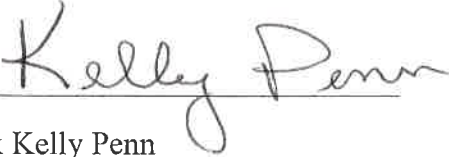
Request the approval to purchase three (3) new 2023 vehicles with equipment for the Farmington Police department. This is not a budgeted item.

Council Member Carnahan made a motion to approve the purchase of three (3) new 2023 police vehicles with equipment for the price/budget impact of \$187,000.00, it was seconded by Council Member Lipford, and after a roll call vote, the motion passed 8-0.

There being no further business to come before the council and on the motion of Council Member Morgan and seconded by Council Member Mathews and by the consent of all members present, the meeting adjourned at 7:05 pm until the next regularly scheduled meeting to be held Monday, September 11th, 2023 in the City Council Chambers at City Hall, located at 354 West Main Street, Farmington, Arkansas.

Approved: 

Mayor Ernie Penn

Attest: 

City Clerk Kelly Penn