

## **MINUTES OF THE REGULAR FARMINGTON CITY COUNCIL MEETING JUNE 12, 2023**

The regular meeting of the Farmington City Council scheduled for Monday, June 12, 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 were City Attorney Jay Moore and City Business Manager McCarville. Mayor Penn led the pledge of allegiance.

### **COMMENTS FROM THE CITIZENS**

Phyllis Young, 546 Goose Creek Road – advised the city council the drainage flow and velocity had increased on her property, it floods all the time and rocks and trash are all over her land. She is concerned that hay haulers are no longer able to use her property and have to get out on Goose Creek Road and that is a safety hazard. She had a gate constructed and it has debris washed up against it and it's about to fall over. She is concerned with the planning commission approving a cul de sac in Goose Creek Village and now it is greenspace and a road. People can't buy lots and the engineers, Chris Brackett and Jorgenson & Associates, planned to put a road there all along and that's false advertising and does the city want that type of reputation?

### **APPROVAL OF THE MINUTES FOR THE MAY 8, 2023 REGULAR CITY COUNCIL MEETING**

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 minutes were approved as presented by a vote of 8-0.

### **APPROVAL OF THE MINUTES FOR THE JUNE 13, 2022 REGULAR CITY COUNCIL MEETING**

City Clerk Penn advised the council that during the current review by Legislative Audit there was an agenda item left off the approved minutes of the June 13, 2022 meeting. It was a clerical error that the item was not attached to the approved minutes. The auditors and city business manager McCarville reviewed the recording of the meeting, and it was determined the council did approve the item and Legislative Audit recommended the minutes be amended to reflect it. 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 amended 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 3.8%. Year to date, our total sales tax is up 4.04% versus 2022 sales tax numbers. Monthly state/county sales tax increased 6.68%. Year to date, our total sales tax is up 9.35% versus 2022 sales tax numbers.

### **ENTERTAIN A MOTION TO READ ALL ORDINANCES AND RESOLUTIONS BY TITLE ONLY.**

On the motion of Council Member Cunningham 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 was approved 8-0.

### **PROCLAMATIONS, SPECIAL ANNOUNCEMENTS, COMMITTEE/COMMISSION APPOINTMENTS-**

Fireworks display will be July 4<sup>th</sup> from the RGLMS site.

### **COMMITTEE REPORTS -**

There were no written reports submitted.

**ITEMS TO BE REMOVED FROM CITY OF FARMINGTON INVENTORY**

**FARMINGTON FIRE DEPARTMENT -FIRE CHIEF BILL HELLARD- REQUESTING THE REMOVAL OF MULTIPLE ITEMS.**

Fire Chief Hellard advised the council that during the current Legislative Audit they were advised these items needed to be removed from inventory. Mayor Penn asked for public comment, there was none. 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 motion to remove the following items was approved 8-0:

Item	Serial Number	Tag Number	Purchase Date	Purchase Price
Moc II Blades	N/A	N/A	12/11/2020	\$660
Moc II Blades	N/A	N/A	12/11/2020	\$660
Equipment added to 2014 Chevrolet Tahoe (no serial or tag numbers)			02/01/2014	\$7,818.00
Apple iPad,	DMPWG37LJF89	734	04/30/2018	\$614.59
NX-300 Radio	B3603089	88	10/30/2013	\$800.00
NX-300 Radio	B3603088	89	10/30/2013	\$800.00
NX-300 Radio	B3603089	88	10/30/2018	\$800.00
NX-300 Radio	B3603088	89	10/30/2018	\$800.00
NX-300 Radio	B3603089	88	10/30/2018	\$800.00
5 X 6 Valve Piston Intake	N/A	513	07/01/1998	\$760.00
7 HP Air Compressor	F03031696	0035	11/01/2003	\$650.00
K-12 Stihl Saw TS420	42389673400AS	396	01/01/2011	\$900.00
Laerdal Compact Suction Unit	L51004676	391	04/05/2011	\$552.95
Knox KeySecure Box & Software	KS-004181	369	09/23/2008	\$655.50
Knox KeySecure Box & Software	KS-004182	379	09/23/2008	\$655.50
Kenwood TK-8180 Mobile Radio	100428386		10/15/2008	\$525.00
Kenwood TK-3180K-LKP W/KRA-17 & KMC-41 Mike	00201393	383	10/15/2008	\$700.00
Kenwood TK-3180K-LKP W/KRA-17 & KMC-41 Mike	00201392	384	10/15/2008	\$700.00
Kenwood TK-3180K-LKP W/KRA-17 & KMC-41 Mike	00201391	385	10/15/2008	\$700.00
Liberty LED Bar & Attachments	CS321052	363	11/29/2007	\$1,858.47
Kenwood Mobile Radio NX800K	B3200075	84	05/13/2013	\$650.00
Kenwood Handheld Radio NX-300K	B3203175	85	05/13/2013	\$850.00
Kenwood Handheld Radio NX-300K	B3102277	86	05/13/2013	\$850.00
Frigidaire Refrigerator	LA34020657	0037	11/01/2003	\$867.00
Frigidaire Electric Range	VF33041161	0042	11/01/2003	\$648.00
Global Matrix 14 ft. Conference Table	N/A	0019	11/03/2003	\$734.00
Stihl TS 760AV Saw K12	65117745842	0040		\$850.00

20 TK 3180K-NKP Kenwood Portable Radios purchased 09/28/2006 for \$15,000 (\$750.00 per item). See serial numbers and tag numbers listed below:

Serial Number 80501071 Tag Number 340, Serial Number 80501282 Tag Number 326, Serial Number 80501304 Tag Number 337, Serial Number 80501324 Tag Number 333, Serial Number 80501179 Tag Number 322, Serial Number 80501119 Tag Number 341, Serial Number 80501357 Tag Number 332, Serial Number 80501302 Tag Number 335, Serial Number 80501116 Tag Number 331, Serial Number 80501313 Tag Number 336, Serial Number 61200440 Tag Number 330, Serial Number 80501766 Tag Number 323, Serial Number 61200439 Tag Number 339, Serial Number 80501336 Tag Number 329, Serial Number 80501172 Tag Number 328, Serial Number 80801289 Tag Number 325, Serial Number 80501281 Tag Number 338, Serial Number 80501303 Tag Number 327, Serial Number 80501306 Tag Number 324, Serial Number 80500822 Tag Number 334

**OLD BUSINESS- NONE**

**NEW BUSINESS**

**ORDINANCE NO. 2023-09 AN ORDINANCE TO ADOPT A REVISED PERSONNEL POLICY FOR THE CITY OF FARMINGTON, ARKANSAS.**

City Business Manager McCarville informed the council that the auditors from Legislative Audit had requested the city update the overtime policy to agree with the Fair Labor Standards Act. Our policy indicated we would pay overtime for hours worked over 8 hours in a day versus the new policy that will require overtime for hours worked over 40 hours in a week. There is also language added to address overtime pay for 24-hour shift firefighters. There is no budget impact, and the city will not be cited for any deficiencies with this in place. Mayor Penn asked for public comment, there was none. Council Member Cunningham made a motion to suspend the rule requiring the reading of an ordinance in full on three different dates be suspended and for Ordinance 2023-09 be read one time by title only, it was seconded by Council Member Lipford and after a roll call vote, the motion was approved 8-0. City Attorney Moore read Ordinance 2023-09 by title only. Mayor Penn asked Shall the ordinance pass? After a roll call vote, the motion passed 8-0. A motion to pass Ordinance 2023-09 with an Emergency Clause was made by Council Member Bryant and seconded by Council Member Lipford and after a roll call vote the motion passed 8-0.

**ORDINANCE NO. 2023-10 AN ORDINANCE REZONING PROPERTY AT 102 CYNTHIA AVENUE FROM R-1, SINGLE FAMILY RESIDENTIAL, TO R-O, RESIDENTIAL OFFICE AS REQUESTED BY MELTON NALL.**

Council Member Carnahan made a motion to suspend the rule requiring the reading of an ordinance in full on three different dates be suspended and for Ordinance 2023-10 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 2023-10 by title only. Mayor Penn asked Shall the ordinance pass? After a roll call vote, the motion passed 8-0. A motion to pass Ordinance 2023-10 with an Emergency Clause was made by Council Member Bryant and seconded by Council Member Morgan and after a roll call vote the motion passed 8-0.

**ORDINANCE NO. 2023-11 AN ORDINANCE WAIVING REQUIREMENTS OF COMPETITIVE BIDDING FOR THE PURCHASE OF A NEW BRUSH TRUCK FROM BANNER FIRE EQUIPMENT FOR THE FARMINGTON FIRE DEPARTMENT PURSUANT TO A.C.A. §14-58-303 (b) 2 (B)**

Fire Chief Hellard informed the council that there were no trucks available in the approved state bid and that inventories were low, making it difficult to secure a vehicle. He requested the council approval to accept the bid from Banner Fire Equipment to purchase a 2023 Dodge 3500 Brush Truck, with funds allocated up to \$95,000.00. Mayor Penn asked for public comment, there was none. After council discussion Council Member Lipford made a motion to suspend the rule requiring the reading of an ordinance in full on three different dates be suspended and for Ordinance 2023-11 be read one time by title only, it was seconded by Council Member Mathews and after a roll call vote, the motion was approved 8-0. City Attorney Moore read Ordinance 2023-11 by title only. Mayor Penn asked Shall the ordinance pass? After a roll call vote, the motion to approve Ordinance 2023-11 passed 8-0. A motion to pass Ordinance 2023-11 with an Emergency Clause was made by Council Member Bryant and seconded by Council Member Lipford and after a roll call vote the motion passed 8-0.

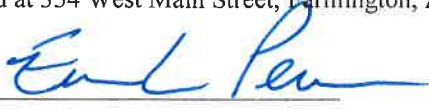
City Attorney Moore left the meeting at 6:37 pm.

**APPROVAL OF UPDATED VERBIAGE FOR "BEHAVIOR EXPECTATIONS" SIGN AT THE ENTRANCE OF THE SPORTS PARK, TO REPLACE OLD WORN-OUT SIGN.**

Mayor Penn asked for public comment, there was none. After council discussion, a motion was made by Council Member Bryant and seconded by Council Member Lipford and by the consent of all Council Members present after a roll call vote, the motion to approve the updated verbiage for the Behavior Expectations sign was approved 8-0.

There being no further business to come before the council and on the motion of Council Member Mathews and seconded by Council Member Morgan and by the consent of all members present, the meeting adjourned at 6:46 pm until the next regularly scheduled meeting to be held Monday, July 10th, 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