



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

**CITY COUNCIL AMENDED AGENDA**  
**June 10, 2013**

A regular meeting of the Farmington City Council will be held on  
Monday, June 10, 2013 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 – May 13, 2013
6. Financial Reports.
7. Entertain a motion to read all ordinances and resolutions by title only.
8. Proclamations, special announcements, committee/commission appointments.
9. Committee Reports
  - a. Street Committee
  - b. City Beautification Committee
  - c. Economic Development Committee
  - d. Park & Recreation Committee
  - e. Finance Committee
  - f. Historic Preservation Committee

**NEW BUSINESS**

- 10. Resolution No. 3013-04 –Setting a public hearing to discuss the closing of an easement at 125 Terry Street.
- 11. Ordinance No. 2013-03 Prescribing and Regulating Landscaping
- 12. Resolution NO. 2013-05 Expressing the willingness of the City of Farmington to utilize state aid street monies

**INFORMATIONAL ITEMS:**

- A. City Business Manager Report
- B. Fire Department Report
- C. Police Department Report
- D. Building/Public Works Report
- E. Library Report

## Minutes of the Regular Farmington City Council Meeting on May 13, 2013

The regular meeting of the Farmington City Council scheduled for Monday, May 13, 2013 was called to order at 6:00 p.m. by Mayor Ernie Penn. City Clerk Kelly Penn called the roll and the following Aldermen answered to their names: Patsy Pike, Sherry Mathews, Keith Lipford, Janie Steele, Brenda Cunningham, Bobby Morgan and Shelly Parsley. Alderman Yopp was absent. A quorum was declared (7). Also present were City Business Manager McCarville and City Attorney Tennant. After Mayor Penn led the pledge of allegiance, he then opened the public comment portion of the meeting for citizens.

**Approval of the minutes for April 8 and April 29, 2013 Meetings** - On the motion of Alderwoman Steele and seconded by Alderwoman Mathews and by the consent of all members present, the minutes were approved, accepted and filed as amended by the City Clerk (7/0).

**Financial Reports** – City sales tax was down \$936.35, County sales tax was up \$1,584.04 for a total increase of \$647.69.

**Entertain a motion to read all Ordinances and Resolutions by title only** – On the motion of Alderman Morgan and seconded by Alderman Lipford and by the consent of all members present (7/0), it was approved to read all Ordinances and Resolutions by title only at this meeting.

**Proclamations, Special Announcements, Committee/Commission Appointments**

There were none.

**Committee Reports**

**Street** -Alderman Morgan advised the bridge repair work had begun.

**City Beautification** – Mayor Penn advised the city had purchased 12 additional brackets to add more Welcome to Farmington banners.

**Economic Development Committee** – Mayor Penn advised that the committee met and is working on developing a city footprint that will be used to recruit and attract business to the area. The next meeting will be on May 30 at 5:30 at city hall.

**Parks & Recreation Committee** – Alderwoman Mathews advised that Fotchman Enterprises had offered to donate the pad for the memorial bricks. They may also have someone donate labor to lay the bricks.

**Historical Preservation Committee** – Alderwoman Steele advised that her committee is still researching civil war colonies that were reported to be in the area.

## **New Business**

### **Request approval to remove 3 Dell Optiplex Sx260 computers form Police Department inventory (SN: 45458468426, 45458468425 & 45458468245)**

A motion was made by Alderwoman Cunningham and seconded by Alderman Lipford to remove 3 Dell Optiplex Sx260 computers form Police Department inventory (SN: 45458468426, 45458468425 & 45458468245), it was approved by the consent of all members present (7/0).

### **Request approval to remove a 06-03 Dodge Charge (SN: 2B3KA43G66H433799) from police inventory and put unit out for bid.**

A motion was made by Alderman Lipford seconded by Alderwoman Steele to approve remove a 06-03 Dodge Charge (SN: 2B3KA43G66H433799) from police inventory and put unit out for bid, it was approved by the consent of all members present (7/0).

### **Request approval to purchase new 2013 Dodge Charger Police Unit.**

A motion was made by Alderman Morgan seconded by Alderman Lipford to approve purchase of a new 2013 Dodge Charger Police Unit, it was approved by the consent of all members present (7/0).

### **Request approval to remove 9 Eye Witness Cameras from police inventory (Tag Numbers 928, 922, 945, 906, 917, 1020, 988, 979 and 992)**

A motion was made by Alderman Lipford and seconded by Alderwoman Pike to approve the removal of 9 Eye Witness Cameras (Tag Numbers 928, 922, 945, 906, 917, 1020, 988, 979 and 992) from police inventory, it was approved by the consent of all members present (7/0).

### **Request approval to remove Whelen Light Bar Tag #991 from police inventory and donate to Wheeler Fire Department.:**

A motion was made by Alderman Lipford and seconded by Alderwoman Steele to approve the removal of a Whelen Light Bar from police inventory and donate to Wheeler Fire Department, it was approved by the consent of all members present (7/0).

### **Request approval to accept bid on 1985 GMC single axle dump truck.**

City Business Manager McCarville informed the council this agenda item was titled incorrectly; it should read "Request approval to purchase 1997 International Dump Truck".

A motion was made by Alderman Lipford and seconded by Alderman Morgan to approve the purchase of a 1997 International Dump truck in the amount of \$33,085.00 , it was approved by the consent of all members present (7/0).

**Resolution 2013-02 Boston Mountain Solid Waste Board Appointment.**

On the motion of Alderwoman Steele and Alderwoman Mathews a motion was made to approve Resolution 2013-02. The motion passed 7/0.

**Resolution 2013-03 Adopting Master Trail Plan.**

Planning Commissioner Gerry Harris addressed the council and advised that the city needs a document in place for the Master Trail Plan in order to secure federal funding or grant monies.

On the motion of Alderwoman Steele and Alderwoman Cunningham a motion was made to approve Resolution 2013-03. The motion passed 7/0.

There being no further business to come before the Council, and on the motion of Alderman Lipford and Seconded by Alderwoman Cunningham and by the consent of all members present, the meeting adjourned at 6: 35 p.m., until the next regularly scheduled meeting to be held on Monday, June 10, 2013 at six o'clock p.m. in the City Council Chambers in City Hall, located at 354 West Main Street, Farmington, Arkansas.

Approved;

\_\_\_\_\_  
Mayor Ernie Penn

\_\_\_\_\_  
City Clerk Kelly Penn

**GENERAL FUND**  
**Balance Sheet**  
**05/31/13**

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**Book Value**  
**May 2013**  
**Actual**

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**Assets**

**Current Assets**

**Cash**

CATASTROPHIC MONEY MARKET	136,096.31
GENERAL FUND CHECKING ACCT	499,488.58
GENERAL FUND MONEY MARKET	1,520,978.88
<b>Total Current Assets</b>	<b><u>\$2,156,563.77</u></b>
<b>Total Assets</b>	<b><u>\$2,156,563.77</u></b>

**Fund Balance**

**Suplus Carryover**

CY SURPLUS (DEFICIT)	237,177.43
FUND BALANCE	1,919,386.34
<b>Total Fund Balance</b>	<b><u>\$2,156,563.77</u></b>
<b>Total Liabilities and Equity</b>	<b><u>\$2,156,563.77</u></b>

**GENERAL FUND**  
**SALES TAX REPORT**  
**05/01/13 to 05/31/13**

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	<b>May 2013</b>	<b>May 2012</b>
	<b>May 2013</b>	<b>May 2012</b>
	<b>Actual</b>	<b>Actual</b>
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<b>Revenue</b>		
CITY SALES TAX REVENUES	27,972.36	25,842.52
SALES TAX - OTHER	78,609.83	75,007.28
STREET CITY SALES TAX	9,324.12	8,614.17
<b>Total Revenue</b>	<b>\$115,906.31</b>	<b>\$109,463.97</b>
<b>Total Gross Profit</b>	<b>\$115,906.31</b>	<b>\$109,463.97</b>
<b>Total Net Income (Loss) From Operations</b>	<b>\$115,906.31</b>	<b>\$109,463.97</b>
<b>Total Net Income (Loss)</b>	<b>\$115,906.31</b>	<b>\$109,463.97</b>

Statement of Revenue and Expenditures

Account	Year-To-Date	Year-To-Date	Year-To-Date	Annual Budget	Annual Budget
	Jan 2013 May 2013 Actual	Jan 2013 May 2013 Budget	Jan 2013 May 2013 Variance	Jan 2013 Dec 2013	Jan 2013 Dec 2013 Variance
<b>Revenue &amp; Expenditures</b>					
<b>GENERAL REVENUES</b>					
<b>Revenue</b>					
ACCIDENT REPORT REVENUE	290.00	250.00	40.00	600.00	(310.00)
ACT 833	9,131.06	6,083.35	3,047.71	14,600.00	(5,468.94)
ALCOHOL SALES TAX		250.00	(250.00)	600.00	(600.00)
ANIMAL CONTROL REVENUE	1,070.00	1,041.65	28.35	2,500.00	(1,430.00)
BUILDING INSPECTION FEES	23,680.87	6,250.00	17,430.87	15,000.00	8,680.87
BUSINESS LICENSES	3,825.00	2,083.35	1,741.65	5,000.00	(1,175.00)
CITY COURT FINES	31,602.15	33,333.35	(1,731.20)	80,000.00	(48,397.85)
CITY SALES TAX REVENUES	134,337.31	127,083.35	7,253.96	305,000.00	(170,662.69)
COUNTY TURNBACK	193,513.60	155,416.65	38,096.95	373,000.00	(179,486.40)
DEVELOPMENT FEES	600.00	416.65	183.35	1,000.00	(400.00)
FRANCHISE FEES	155,718.66	113,974.19	41,744.47	273,538.00	(117,819.34)
GARAGE SALE PERMITS	920.00	1,458.35	(538.35)	3,500.00	(2,580.00)
GRANTS	3,367.93		3,367.93		3,367.93
INTEREST REVENUES	624.42	833.35	(208.93)	2,000.00	(1,375.58)
MISCELLANEOUS REVENUES	4,218.37	500.00	3,718.37	1,200.00	3,018.37
PARK RENTAL/DONATIONS	600.00	500.00	100.00	1,200.00	(600.00)
SALES TAX - OTHER	390,553.92	369,166.65	21,387.27	886,000.00	(495,446.08)
SPORTS COMPLEX FEES	34,473.57	23,333.31	11,140.26	56,000.00	(21,526.43)
SRO REIMBURSEMENT REVE	10,441.87	12,916.65	(2,474.78)	31,000.00	(20,558.13)
STATE TURNBACK	42,778.58	39,583.35	3,195.23	95,000.00	(52,221.42)
<b>Revenue</b>	<b>\$1,041,747.31</b>	<b>\$894,474.20</b>	<b>\$147,273.11</b>	<b>\$2,146,738.00</b>	<b>(1,104,990.69)</b>
<b>Revenue Less Expenditures</b>	<b>\$1,041,747.31</b>	<b>\$894,474.20</b>		<b>\$2,146,738.00</b>	
<b>Net Change in Fund Balance</b>	<b>\$1,041,747.31</b>	<b>\$894,474.20</b>		<b>\$2,146,738.00</b>	



Statement of Revenue and Expenditures

Account	Year-To-Date	Year-To-Date	Year-To-Date	Annual Budget	Annual Budget
	Jan 2013 May 2013 Actual	Jan 2013 May 2013 Budget	Jan 2013 May 2013 Variance	Jan 2013 Dec 2013	Jan 2013 Dec 2013 Variance
<b>ADMINISTRATIVE DEPT</b>					
<b>Expenses</b>					
ADDITIONAL SERVICES EXPE	37,102.23	37,500.00	(397.77)	90,000.00	(52,897.77)
ADVERTISING EXPENSE	420.42	1,041.65	(621.23)	2,500.00	(2,079.58)
BUILDING MAINT & CLEANIN	6,168.00	20,833.35	(14,665.35)	50,000.00	(43,832.00)
CAPITAL IMPROVEMENT	180,001.50		180,001.50		180,001.50
INSURANCES EXPENSE	566.68	9,166.65	(8,599.97)	22,000.00	(21,433.32)
LEGAL FEES		4,166.65	(4,166.65)	10,000.00	(10,000.00)
MATERIALS & SUPPLIES EXP	10,103.53	9,166.65	936.88	22,000.00	(11,896.47)
MISCELLANEOUS EXPENSE	1,627.98	833.35	794.63	2,000.00	(372.02)
NEW EQUIPMENT PURCHASE	2,235.92	6,666.65	(4,430.73)	16,000.00	(13,764.08)
PAYROLL EXP - CITY ATTRNY		11,372.90	(11,372.90)	27,295.00	(27,295.00)
PAYROLL EXP - ELECTED OFF	21,195.17	23,541.69	(2,346.52)	56,500.00	(35,304.83)
PAYROLL EXP - REGULAR	60,372.14	79,583.35	(19,211.21)	191,000.00	(130,627.86)
PLANNING COMMISSION	2,798.90	5,000.00	(2,201.10)	12,000.00	(9,201.10)
POSTAGE EXPENSE	43.80	1,666.65	(1,622.85)	4,000.00	(3,956.20)
PROFESSIONAL SERVICES	6,016.95	17,299.19	(11,282.24)	41,518.00	(35,501.05)
REPAIR & MAINT - OFFICE E	841.02	2,500.00	(1,658.98)	6,000.00	(5,158.98)
TECHNICAL SUPPORT	1,465.00	2,500.00	(1,035.00)	6,000.00	(4,535.00)
TRAVEL, TRAINING & MEETI	1,972.45	6,250.00	(4,277.55)	15,000.00	(13,027.55)
UTILITIES EXPENSES	12,808.80	17,500.00	(4,691.20)	42,000.00	(29,191.20)
<b>Expenses</b>	<b>\$345,740.49</b>	<b>\$256,588.73</b>	<b>\$89,151.76</b>	<b>\$615,813.00</b>	<b>(270,072.51)</b>
<b>Revenue Less Expenditures</b>	<b>(\$345,740.49)</b>	<b>(\$256,588.73)</b>		<b>(\$615,813.00)</b>	
<b>Net Change in Fund Balance</b>	<b>(\$345,740.49)</b>	<b>(\$256,588.73)</b>		<b>(\$615,813.00)</b>	

Statement of Revenue and Expenditures

Account	Year-To-Date	Year-To-Date	Year-To-Date	Annual Budget	Annual Budget
	Jan 2013 May 2013 Actual	Jan 2013 May 2013 Budget	Jan 2013 May 2013 Variance	Jan 2013 Dec 2013	Jan 2013 Dec 2013 Variance
<b>ANIMAL CONTROL DEPT</b>					
<b>Expenses</b>					
FUEL EXPENSES	573.37	1,012.50	(439.13)	2,430.00	(1,856.63)
MATERIALS & SUPPLIES EXP	284.53	250.00	34.53	600.00	(315.47)
NEW EQUIPMENT PURCHASE		333.35	(333.35)	800.00	(800.00)
PAYROLL EXP - REGULAR	17,915.72	18,916.65	(1,000.93)	45,400.00	(27,484.28)
PROFESSIONAL SERVICES	2,092.00	6,708.35	(4,616.35)	16,100.00	(14,008.00)
REPAIR & MAINT - EQUIPME	46.05	208.35	(162.30)	500.00	(453.95)
TELECOMMUNICATION EXPE	571.03	416.65	154.38	1,000.00	(428.97)
TRAVEL, TRAINING & MEETI		208.35	(208.35)	500.00	(500.00)
UNIFORMS/GEAR EXPENSE	500.00	303.35	196.65	728.00	(228.00)
<b>Expenses</b>	<b>\$21,982.70</b>	<b>\$28,357.55</b>	<b>(\$6,374.85)</b>	<b>\$68,058.00</b>	<b>(46,075.30)</b>
<b>Revenue Less Expenditures</b>	<b>(\$21,982.70)</b>	<b>(\$28,357.55)</b>		<b>(\$68,058.00)</b>	
<b>Net Change in Fund Balance</b>	<b>(\$21,982.70)</b>	<b>(\$28,357.55)</b>		<b>(\$68,058.00)</b>	

Statement of Revenue and Expenditures

Account	Year-To-Date	Year-To-Date	Year-To-Date	Annual Budget	Annual Budget
	Jan 2013 May 2013 Actual	Jan 2013 May 2013 Budget	Jan 2013 May 2013 Variance	Jan 2013 Dec 2013	Jan 2013 Dec 2013 Variance
<b>BUILDING PERMIT DEPT</b>					
<b>Expenses</b>					
FUEL EXPENSES	939.04	1,250.00	(310.96)	3,000.00	(2,060.96)
MATERIALS & SUPPLIES EXP		416.65	(416.65)	1,000.00	(1,000.00)
PAYROLL EXP - REGULAR	34,630.54	35,250.00	(619.46)	84,600.00	(49,969.46)
REPAIR & MAINT - EQUIPME	73.01	416.65	(343.64)	1,000.00	(926.99)
TELECOMMUNICATION EXPE	571.04	666.65	(95.61)	1,600.00	(1,028.96)
TRAVEL, TRAINING & MEETI	848.47	1,041.65	(193.18)	2,500.00	(1,651.53)
UNIFORMS/GEAR EXPENSE	717.73	416.65	301.08	1,000.00	(282.27)
<b>Expenses</b>	<b>\$37,779.83</b>	<b>\$39,458.25</b>	<b>(\$1,678.42)</b>	<b>\$94,700.00</b>	<b>(56,920.17)</b>
<b>Revenue Less Expenditures</b>	<b>(\$37,779.83)</b>	<b>(\$39,458.25)</b>		<b>(\$94,700.00)</b>	
<b>Net Change in Fund Balance</b>	<b>(\$37,779.83)</b>	<b>(\$39,458.25)</b>		<b>(\$94,700.00)</b>	

Statement of Revenue and Expenditures

Account	Year-To-Date	Year-To-Date	Year-To-Date	Annual Budget	Annual Budget
	Jan 2013 May 2013 Actual	Jan 2013 May 2013 Budget	Jan 2013 May 2013 Variance	Jan 2013 Dec 2013	Jan 2013 Dec 2013 Variance
<b>FIRE DEPT</b>					
<b>Expenses</b>					
FUEL EXPENSES	2,975.48	3,125.00	(149.52)	7,500.00	(4,524.52)
HAZMAT EXPENSES	2,270.12	1,000.00	1,270.12	2,400.00	(129.88)
MATERIALS & SUPPLIES EXP	2,143.84	2,916.65	(772.81)	7,000.00	(4,856.16)
MISCELLANEOUS EXPENSE		208.35	(208.35)	500.00	(500.00)
NEW EQUIPMENT PURCHASE	2,350.00	1,666.65	683.35	4,000.00	(1,650.00)
PAYROLL EXP - REGULAR	75,977.94	87,437.50	(11,459.56)	209,850.00	(133,872.06)
REPAIR & MAINT - EQUIPME	412.88	1,250.00	(837.12)	3,000.00	(2,587.12)
REPAIR & MAINT - TRUCK	1,287.43	2,083.35	(795.92)	5,000.00	(3,712.57)
TELECOMMUNICATION EXPE	965.64	1,666.65	(701.01)	4,000.00	(3,034.36)
TRAVEL, TRAINING & MEETI	429.00	1,666.65	(1,237.65)	4,000.00	(3,571.00)
UNIFORMS/GEAR EXPENSE	461.01	4,650.85	(4,189.84)	11,162.00	(10,700.99)
<b>Expenses</b>	<b>\$89,273.34</b>	<b>\$107,671.65</b>	<b>(\$18,398.31)</b>	<b>\$258,412.00</b>	<b>(169,138.66)</b>
<b>Revenue Less Expenditures</b>	<b>(\$89,273.34)</b>	<b>(\$107,671.65)</b>		<b>(\$258,412.00)</b>	
<b>Net Change in Fund Balance</b>	<b>(\$89,273.34)</b>	<b>(\$107,671.65)</b>		<b>(\$258,412.00)</b>	

Statement of Revenue and Expenditures

Account	Year-To-Date	Year-To-Date	Year-To-Date	Annual Budget	Annual Budget
	Jan 2013 May 2013 Actual	Jan 2013 May 2013 Budget	Jan 2013 May 2013 Variance	Jan 2013 Dec 2013	Jan 2013 Dec 2013 Variance
<b>LAW ENFORCE - COURT</b>					
<b>Expenses</b>					
MATERIALS & SUPPLIES EXP	51.08	875.00	(823.92)	2,100.00	(2,048.92)
MISCELLANEOUS EXPENSE		166.69	(166.69)	400.00	(400.00)
NEW EQUIPMENT PURCHASE		1,250.00	(1,250.00)	3,000.00	(3,000.00)
PAYROLL EXP - REGULAR	63,580.63	37,400.00	26,180.63	89,760.00	(26,179.37)
SPECIAL COURT COSTS		2,500.00	(2,500.00)	6,000.00	(6,000.00)
TRAVEL, TRAINING & MEETI		812.50	(812.50)	1,950.00	(1,950.00)
<b>Expenses</b>	<b>\$63,631.71</b>	<b>\$43,004.19</b>	<b>\$20,627.52</b>	<b>\$103,210.00</b>	<b>(39,578.29)</b>
<b>Revenue Less Expenditures</b>	<b>(\$63,631.71)</b>	<b>(\$43,004.19)</b>		<b>(\$103,210.00)</b>	
<b>Net Change in Fund Balance</b>	<b>(\$63,631.71)</b>	<b>(\$43,004.19)</b>		<b>(\$103,210.00)</b>	

Statement of Revenue and Expenditures

Account	Year-To-Date	Year-To-Date	Year-To-Date	Annual Budget	Annual Budget
	Jan 2013 May 2013 Actual	Jan 2013 May 2013 Budget	Jan 2013 May 2013 Variance	Jan 2013 Dec 2013	Jan 2013 Dec 2013 Variance
<b>LAW ENFORCE - POLICE</b>					
<b>Expenses</b>					
BREATHALYZER EXPENSES	188.79	416.65	(227.86)	1,000.00	(811.21)
DRUG TASK FORCE		833.35	(833.35)	2,000.00	(2,000.00)
FUEL EXPENSES	12,675.61	15,625.00	(2,949.39)	37,500.00	(24,824.39)
MATERIALS & SUPPLIES EXP	4,972.61	10,464.15	(5,491.54)	25,114.00	(20,141.39)
MISCELLANEOUS EXPENSE		416.65	(416.65)	1,000.00	(1,000.00)
NEW EQUIPMENT PURCHASE		13,333.35	(13,333.35)	32,000.00	(32,000.00)
PAYROLL EXP - REGULAR	221,061.06	240,416.65	(19,355.59)	577,000.00	(355,938.94)
PAYROLL EXP - SRO	21,522.27	26,845.81	(5,323.54)	64,430.00	(42,907.73)
REPAIR & MAINT - AUTOMOB	3,451.12	8,333.35	(4,882.23)	20,000.00	(16,548.88)
REPAIR & MAINT - EQUIPME	775.57	625.00	150.57	1,500.00	(724.43)
TELECOMMUNICATION EXPE	1,001.35	1,041.65	(40.30)	2,500.00	(1,498.65)
TRAVEL, TRAINING & MEETI	1,263.00	1,458.35	(195.35)	3,500.00	(2,237.00)
UNIFORMS/GEAR EXPENSE	3,752.94	3,333.35	419.59	8,000.00	(4,247.06)
<b>Expenses</b>	<b>\$270,664.32</b>	<b>\$323,143.31</b>	<b>(\$52,478.99)</b>	<b>\$775,544.00</b>	<b>(504,879.68)</b>
<b>Revenue Less Expenditures</b>	<b>(\$270,664.32)</b>	<b>(\$323,143.31)</b>		<b>(\$775,544.00)</b>	
<b>Net Change in Fund Balance</b>	<b>(\$270,664.32)</b>	<b>(\$323,143.31)</b>		<b>(\$775,544.00)</b>	

Statement of Revenue and Expenditures

Account	Year-To-Date	Year-To-Date	Year-To-Date	Annual Budget	Annual Budget
	Jan 2013 May 2013 Actual	Jan 2013 May 2013 Budget	Jan 2013 May 2013 Variance	Jan 2013 Dec 2013	Jan 2013 Dec 2013 Variance
<b>LIBRARY</b>					
<b>Expenses</b>					
LIBRARY TRANSFER	20,494.00	8,539.15	11,954.85	20,494.00	
Expenses	<b>\$20,494.00</b>	<b>\$8,539.15</b>	<b>\$11,954.85</b>	<b>\$20,494.00</b>	
Revenue Less Expenditures	<b>(\$20,494.00)</b>	<b>(\$8,539.15)</b>		<b>(\$20,494.00)</b>	
Net Change in Fund Balance	<b>(\$20,494.00)</b>	<b>(\$8,539.15)</b>		<b>(\$20,494.00)</b>	

Statement of Revenue and Expenditures

Account	Year-To-Date	Year-To-Date	Year-To-Date	Annual Budget	Annual Budget
	Jan 2013 May 2013 Actual	Jan 2013 May 2013 Budget	Jan 2013 May 2013 Variance	Jan 2013 Dec 2013	Jan 2013 Dec 2013 Variance
<b>PARKS DEPT</b>					
<b>Expenses</b>					
FUEL EXPENSES	359.64	916.65	(557.01)	2,200.00	(1,840.36)
MATERIALS & SUPPLIES EXP	474.99	2,083.35	(1,608.36)	5,000.00	(4,525.01)
MISCELLANEOUS EXPENSE		625.00	(625.00)	1,500.00	(1,500.00)
NEW EQUIPMENT PURCHASE	9,999.00	5,000.00	4,999.00	12,000.00	(2,001.00)
PAYROLL EXP - REGULAR	15,412.21	19,337.50	(3,925.29)	46,410.00	(30,997.79)
PAYROLL EXP - SPORTS COM	19,713.03	21,458.35	(1,745.32)	51,500.00	(31,786.97)
PROFESSIONAL SERVICES		416.65	(416.65)	1,000.00	(1,000.00)
REPAIR & MAINT - EQUIPME		833.35	(833.35)	2,000.00	(2,000.00)
SPORTS PARK FUEL	668.18	833.35	(165.17)	2,000.00	(1,331.82)
SPORTS PARK MATERIALS	3,898.14	5,000.00	(1,101.86)	12,000.00	(8,101.86)
SPORTS PARK NEW EQUIP		2,083.35	(2,083.35)	5,000.00	(5,000.00)
SPORTS PARK PROF SERV	10,663.20	12,500.00	(1,836.80)	30,000.00	(19,336.80)
SPORTS PARK REPAIR/MAIN	128.53	498.75	(370.22)	1,197.00	(1,068.47)
SPORTS PARK UNIFORMS	717.06	312.50	404.56	750.00	(32.94)
SPORTS PARK UTILITIES	4,204.93	14,583.35	(10,378.42)	35,000.00	(30,795.07)
UNIFORMS/GEAR EXPENSE	500.00	312.50	187.50	750.00	(250.00)
UTILITIES EXPENSES	957.16	916.65	40.51	2,200.00	(1,242.84)
<b>Expenses</b>	<b>\$67,696.07</b>	<b>\$87,711.30</b>	<b>(\$20,015.23)</b>	<b>\$210,507.00</b>	<b>(142,810.93)</b>
<b>Revenue Less Expenditures</b>	<b>(\$67,696.07)</b>	<b>(\$87,711.30)</b>		<b>(\$210,507.00)</b>	
<b>Net Change in Fund Balance</b>	<b>(\$67,696.07)</b>	<b>(\$87,711.30)</b>		<b>(\$210,507.00)</b>	



Statement of Revenue and Expenditures

Account	Year-To-Date	Year-To-Date	Year-To-Date	Annual Budget	Annual Budget
	Jan 2013 May 2013 Actual	Jan 2013 May 2013 Budget	Jan 2013 May 2013 Variance	Jan 2013 Dec 2013	Jan 2013 Dec 2013 Variance
<b>TRANSFERS BETWEEN FUNDS</b>					
<b>Revenue</b>					
STREET CITY SALES TAX	44,779.09		44,779.09		44,779.09
STREET COUNTY TURNBACK	21,153.58		21,153.58		21,153.58
<b>Revenue</b>	<b>\$65,932.67</b>		<b>\$65,932.67</b>		<b>65,932.67</b>
<b>Expenses</b>					
STREET CITY SALE TAX	44,779.09		44,779.09		44,779.09
STREET COUNTY TURNBACK	21,153.58		21,153.58		21,153.58
<b>Expenses</b>	<b>\$65,932.67</b>		<b>\$65,932.67</b>		<b>65,932.67</b>

Statement of Revenue and Expenditures

Account	Year-To-Date	Year-To-Date	Year-To-Date	Annual Budget	Annual Budget
	Jan 2013 May 2013 Actual	Jan 2013 May 2013 Budget	Jan 2013 May 2013 Variance	Jan 2013 Dec 2013	Jan 2013 Dec 2013 Variance
<b>Fund Balances</b>					
Beginning Fund Balance	2,032,078.92				
Net Change in Fund Balance	124,484.85	0.07			
Ending Fund Balance	2,156,563.77				

**STREET FUND**  
**Balance Sheet**  
**05/31/13**

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Book Value  
May 2013  
Actual

---

**Assets**

**Current Assets**

**Cash**

STREET FUND CHECKING ACCT	212,742.55
STREET FUND MONEY MARKET	2,506.06
<b>Total Current Assets</b>	<b><u>\$215,248.61</u></b>
<b>Total Assets</b>	<b><u>\$215,248.61</u></b>

**Fund Balance**

**Suplus Carryover**

CY SURPLUS (DEFICIT)	(471,401.93)
FUND BALANCE	686,650.54
<b>Total Fund Balance</b>	<b><u>\$215,248.61</u></b>
<b>Total Liabilities and Equity</b>	<b><u>\$215,248.61</u></b>

**STREET FUND**  
**Statement of Revenue and Expenditures**

	Year-To-Date Jan 2013 May 2013 Actual	Year-To-Date Jan 2013 May 2013 Budget	Year-To-Date Jan 2013 May 2013 Variance	Annual Budget Jan 2013 Dec 2013	Annual Budget Jan 2013 Dec 2013 Variance
<b>Revenue &amp; Expenditures</b>					
<b>Revenue</b>					
INTEREST REVENUES	38.86	83.35	(44.49)	200.00	(161.14)
MISCELLANEOUS REVENUES	2,879.48	41.65	2,837.83	100.00	2,779.48
STREET CITY SALES TAX	44,779.09	42,500.00	2,279.09	102,000.00	(57,220.91)
STREET COUNTY TURNBACK	21,153.58	12,414.19	8,739.39	29,794.00	(8,640.42)
STREET STATE TURNBACK	108,830.11	111,041.65	(2,211.54)	266,500.00	(157,669.89)
<b>Revenue</b>	<b>\$177,681.12</b>	<b>\$166,080.84</b>	<b>\$11,600.28</b>	<b>\$398,594.00</b>	<b>(220,912.88)</b>
<b>Expenses</b>					
FUEL EXPENSES	2,178.47	3,541.65	(1,363.18)	8,500.00	(6,321.53)
INSURANCES EXPENSE	90.00	958.35	(868.35)	2,300.00	(2,210.00)
MATERIALS & SUPPLIES EXPENSE	4,428.83	5,416.65	(987.82)	13,000.00	(8,571.17)
MISCELLANEOUS EXPENSE		205.85	(205.85)	494.00	(494.00)
NEW EQUIPMENT PURCHASE	43,084.99	2,083.35	41,001.64	5,000.00	38,084.99
PAYROLL EXP - REGULAR	47,617.14	60,000.00	(12,382.86)	144,000.00	(96,382.86)
PROFESSIONAL SERVICES		4,166.65	(4,166.65)	10,000.00	(10,000.00)
REPAIR & MAINT - EQUIPMENT	4,279.28	4,166.65	112.63	10,000.00	(5,720.72)
STREET LIGHTS	20,874.58	18,750.00	2,124.58	45,000.00	(24,125.42)
STREET/ROAD REPAIRS	40,640.13	62,708.35	(22,068.22)	150,500.00	(109,859.87)
TELECOMMUNICATION EXPENSES	871.45	750.00	121.45	1,800.00	(928.55)
TRAVEL, TRAINING & MEETINGS	461.00	416.65	44.35	1,000.00	(539.00)
UNIFORMS/GEAR EXPENSE	1,731.00	833.35	897.65	2,000.00	(269.00)
UTILITIES EXPENSES	2,443.22	2,083.35	359.87	5,000.00	(2,556.78)
<b>Expenses</b>	<b>\$168,700.09</b>	<b>\$166,080.85</b>	<b>\$2,619.24</b>	<b>\$398,594.00</b>	<b>(229,893.91)</b>
<b>Revenue Less Expenditures</b>	<b>\$8,981.03</b>	<b>(\$0.01)</b>			
<b>Net Change in Fund Balance</b>	<b>\$8,981.03</b>	<b>(\$0.01)</b>			

**Fund Balances**

Beginning Fund Balance	206,267.58	
Net Change in Fund Balance	8,981.03	(0.01)
Ending Fund Balance	215,248.61	

**LIBRARY FUND**  
**Balance Sheet**  
**05/31/13**

---

Book Value  
May 2013  
Actual

---

**Assets**

**Current Assets**

**Cash**

LIBRARY CHECKING ACCT	43,635.12
LIBRARY MONEY MARKET	70,228.31
<b>Total Current Assets</b>	<b><u>\$113,863.43</u></b>
<b>Total Assets</b>	<b><u>\$113,863.43</u></b>

**Fund Balance**

**Suplus Carryover**

CY SURPLUS (DEFICIT)	69,302.71
FUND BALANCE	44,560.72
<b>Total Fund Balance</b>	<b><u>\$113,863.43</u></b>
<b>Total Liabilities and Equity</b>	<b><u>\$113,863.43</u></b>

**LIBRARY FUND**  
**Statement of Revenue and Expenditures**

	Year-To-Date Jan 2013 May 2013 Actual	Year-To-Date Jan 2013 May 2013 Budget	Year-To-Date Jan 2013 May 2013 Variance	Annual Budget Jan 2013 Dec 2013	Annual Budget Jan 2013 Dec 2013 Variance
<b>Revenue &amp; Expenditures</b>					
<b>Revenue</b>					
FINES/LOST ITEMS	1,381.07	1,250.00	131.07	3,000.00	(1,618.93)
INTEREST REVENUES	18.61		18.61		18.61
MISCELLANEOUS REVENUES	449.82		449.82		449.82
TRANS FROM GENERAL FUND	20,494.00	8,539.15	11,954.85	20,494.00	
WASHINGTON CO LIBRARY REVE	57,684.15	57,684.15		138,442.00	(80,757.85)
<b>Revenue</b>	<b>\$80,027.65</b>	<b>\$67,473.30</b>	<b>\$12,554.35</b>	<b>\$161,936.00</b>	<b>(81,908.35)</b>
<b>Expenses</b>					
BOOKS AND MEDIA	13,549.19	14,583.35	(1,034.16)	35,000.00	(21,450.81)
INSURANCES EXPENSE		375.00	(375.00)	900.00	(900.00)
LIBRARY RESERVE		15.00	(15.00)	36.00	(36.00)
MATERIALS & SUPPLIES EXPENSE	1,469.87	2,166.65	(696.78)	5,200.00	(3,730.13)
MISCELLANEOUS EXPENSE		166.65	(166.65)	400.00	(400.00)
NEW EQUIPMENT PURCHASE		833.35	(833.35)	2,000.00	(2,000.00)
PAYROLL EXP - REGULAR	42,278.73	44,791.65	(2,512.92)	107,500.00	(65,221.27)
POSTAGE EXPENSE	158.00	166.65	(8.65)	400.00	(242.00)
PROGRAMS EXPENSE	133.75	208.35	(74.60)	500.00	(366.25)
TECHNICAL SUPPORT	270.00	625.00	(355.00)	1,500.00	(1,230.00)
TRAVEL, TRAINING & MEETINGS	44.08	208.35	(164.27)	500.00	(455.92)
UTILITIES EXPENSES	2,831.00	3,333.31	(502.31)	8,000.00	(5,169.00)
<b>Expenses</b>	<b>\$60,734.62</b>	<b>\$67,473.31</b>	<b>(\$6,738.69)</b>	<b>\$161,936.00</b>	<b>(101,201.38)</b>
<b>Revenue Less Expenditures</b>	<b>\$19,293.03</b>	<b>(\$0.01)</b>			
<b>Net Change in Fund Balance</b>	<b>\$19,293.03</b>	<b>(\$0.01)</b>			

**Fund Balances**

Beginning Fund Balance	94,570.40	
Net Change in Fund Balance	19,293.03	(0.01)
Ending Fund Balance	113,863.43	



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: Right of way vacation  
Date: June 5, 2013

#### **Recommendation**

City staff recommends approval of this resolution.

#### **Background**

Several months ago I was approached by the Houston's who at that time were thinking about purchasing 125 Terry. The existing drive for 125 Terry Street is on city property that was probably originally intended for an extension of Terry Street. The area is approximately .14 acres; 50' x 125'. It was sold or given to the city in 1991 as a part of a subdivision development.

#### **Discussion**

The Houston's who now own 125 Terry, are requesting that we vacate the easement/right-of-way and give it to them. The resolution on the agenda is the first step in that process. In addition to the resolution, the Houston's will have to have each adjacent owner sign off that they do not have an issue with the vacation. Also, the city will place an ad in the paper announcing a public hearing to discuss the intent to vacate the property and grant it to the Houston's. The city does not currently maintain the property; the adjacent property owner has done it for as long as current staff can remember.

#### **Budget Impact**

There will be no effect on the budget.

**RESOLUTION NO. 2013-04**

**A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS THE CLOSING OF  
AN EASEMENT AT 125 TERRY STREET**

**WHEREAS**, a petition has been filed with the City Council of the City of Farmington, Arkansas by Scott and Amanda Houston to abandon an easement located within the corporate city limits of the City of Farmington, Arkansas; and

**WHEREAS**, upon the filing of the petition with the City, the City shall set a date and time for a hearing before the City Council for consideration of the petition.

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

1. That the City Council shall hear said petition at its regular meeting to be held at 354 West Main Street, Farmington, Arkansas on the 8<sup>th</sup> day of July, 2013 at 6:00 p.m.
2. That the City Clerk is hereby directed to publish notice of the filing of said petition and said hearing for the time and in the manner prescribed by law.

**PASSED AND APPROVED** on this 10<sup>th</sup> day of June, 2013.

**APPROVED:**

By: \_\_\_\_\_  
*Ernie Penn, Mayor*

**ATTEST:**

By: \_\_\_\_\_  
*Kelly Penn, City Clerk*





**Street Vacation Application**

Please fill this form out completely supplying all necessary information and documentation to support your request.

Property owner/Applicant:

Name: Scott Houston

Address: 125 Terry St.

City, State, Zip: Farmington, AR 72730 1

Phone: 479 799 9546 Email: mindy@uarkfcm.com

*Applicant/Representative: I certify 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 submittal of incorrect or false information is grounds for invalidation of the application and determination of approval. I understand there may be conditions on approval.*

Scott Houston Date: 5/24/13  
Signature

*Property Owner/Authorized Agent: I certify that I am the owner of the subject property of this application and that I have read this application and consent to its filing. (If signed by authorized agent a letter from the property owner must accompany this application, indicating the agent is authorized to act on the owners behalf.)*

Amanda Houston Date: 5/24/13  
Signature

Requested Vacation (circle all that apply):

- Street
- Alley
- Easement

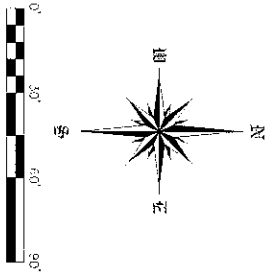
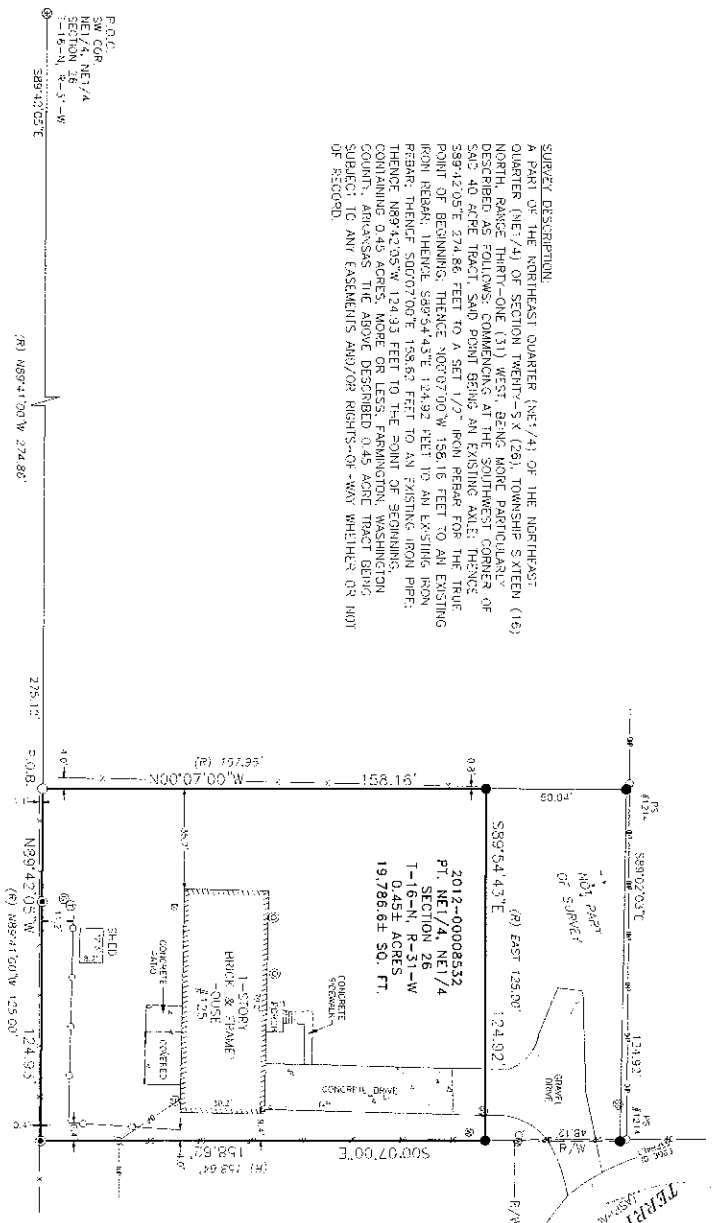
Legal Description of the property (may be attached as exhibit "A"):

See attached survey; pictures.

Description of what is being requested (attach survey):

We would like the city to release the utility easement in the front of our property. We are surrounded by large plots owned by individuals who do not plan to sell. We would like to add some improvements to our driveway but feel the city should release said easement before we move forward.

**SURVEY DESCRIPTION:**  
 A PART OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION TWENTY-FIVE (25), TOWNSHIP SIXTY (60) NORTH, RANGE THIRTY-ONE (31) WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID 40 ACRE TRACT, SAID POINT BEING AN EXISTING AXLE; THENCE S89°42'05"E 374.86 FEET TO A SET 1/2" IRON REBAR FOR THE TRUE POINT OF BEGINNING; THENCE N00°07'00"W 158.16 FEET TO AN EXISTING IRON REBAR; THENCE S89°54'43"E 124.02 FEET TO AN EXISTING IRON REBAR; THENCE S00°07'00"E 158.67 FEET TO AN EXISTING IRON PIPE; THENCE N00°07'00"W 124.93 FEET TO THE POINT OF BEGINNING, CONTAINING 0.45 ACRES, MORE OR LESS, FARMINGTON, WASHINGTON COUNTY, ARKANSAS. THE ABOVE DESCRIBED 0.45 ACRE TRACT BEING SUBJECT TO ANY EASEMENTS AND/OR RIGHTS-IN-WAY WHETHER OR NOT OF RECORD.



ADDRESS: 125 TERRY STREET  
 FARMINGTON, ARKANSAS

**LEGEND**

- These standard symbols will be found in the drawing.
- POWER POLE
  - ⊕ ELECTRIC METER
  - ⊕ TELEPHONE PEDESTAL
  - ⊕ GAS METER
  - SET 1/2" IRON REBAR
  - EXISTING IRON PIPE
  - EXISTING IRON REBAR
  - SANITARY SEWER MANHOLE
  - FIRE HYDRANT
  - WATER VEILER
  - SANITARY SEWER CLEANOUT
  - AC UNIT
  - FOUND AXLE
  - CHAIN-LINKED FENCE
  - BARBED-WIRE FENCE
  - OVERHEAD ELECTRIC LINE
  - PROWERY LINE

**BASES OF BEGINNINGS:** RECORD DRAWING OF EAST LINE OF PROPERTY AS DESCRIBED IN LAND DOCUMENT 20-7-8032 ON THE LAND RECORDS OF WASHINGTON COUNTY, ARKANSAS.

STATE LAND SURVEY FILE CODE  
 500-161-31W-0-26-110-72-1005

**NOTES:**  
 EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAN, THIS SURVEY DOES NOT REFER TO RECORD ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE:  
 EASEMENTS, OTHER THAN THOSE SPECIFICALLY MENTIONED HEREIN, WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE;  
 EASEMENTS, OTHER THAN THOSE SPECIFICALLY MENTIONED HEREIN, WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE;  
 RESTRICTIONS OR OTHER LAWS OR REGULATIONS, AND ANY OTHER FACTS WHICH MAY AFFECT THE SUBJECT REAL ESTATE;  
 THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDED THE SEAL AND SIGNATURE OF THE SURVEYOR.  
 THIS SURVEY WAS PREPARED FOR THE CLIENT'S PURPOSES. ANY OTHER USE OR REPRODUCTION IS VOID. THE SURVEYOR'S LIABILITY IS LIMITED TO THE PROFESSIONAL STANDARDS OF THE SURVEYING INDUSTRY. THE SURVEYOR DOES NOT WARRANT THE ACCURACY OF THE SURVEY. THE SURVEYOR'S LIABILITY IS LIMITED TO THE PROFESSIONAL STANDARDS OF THE SURVEYING INDUSTRY. THE SURVEYOR DOES NOT WARRANT THE ACCURACY OF THE SURVEY. THE SURVEYOR'S LIABILITY IS LIMITED TO THE PROFESSIONAL STANDARDS OF THE SURVEYING INDUSTRY. THE SURVEYOR DOES NOT WARRANT THE ACCURACY OF THE SURVEY.

DRAFTSMAN	ARA
DATE	08/17/2012
CHECKED	-
SCALE	1" = 30'
SHEET SIZE	18" x 24"

PM ENTERPRISES OF ARKANSAS, LLC  
 125 TERRY STREET  
 FARMINGTON, ARKANSAS

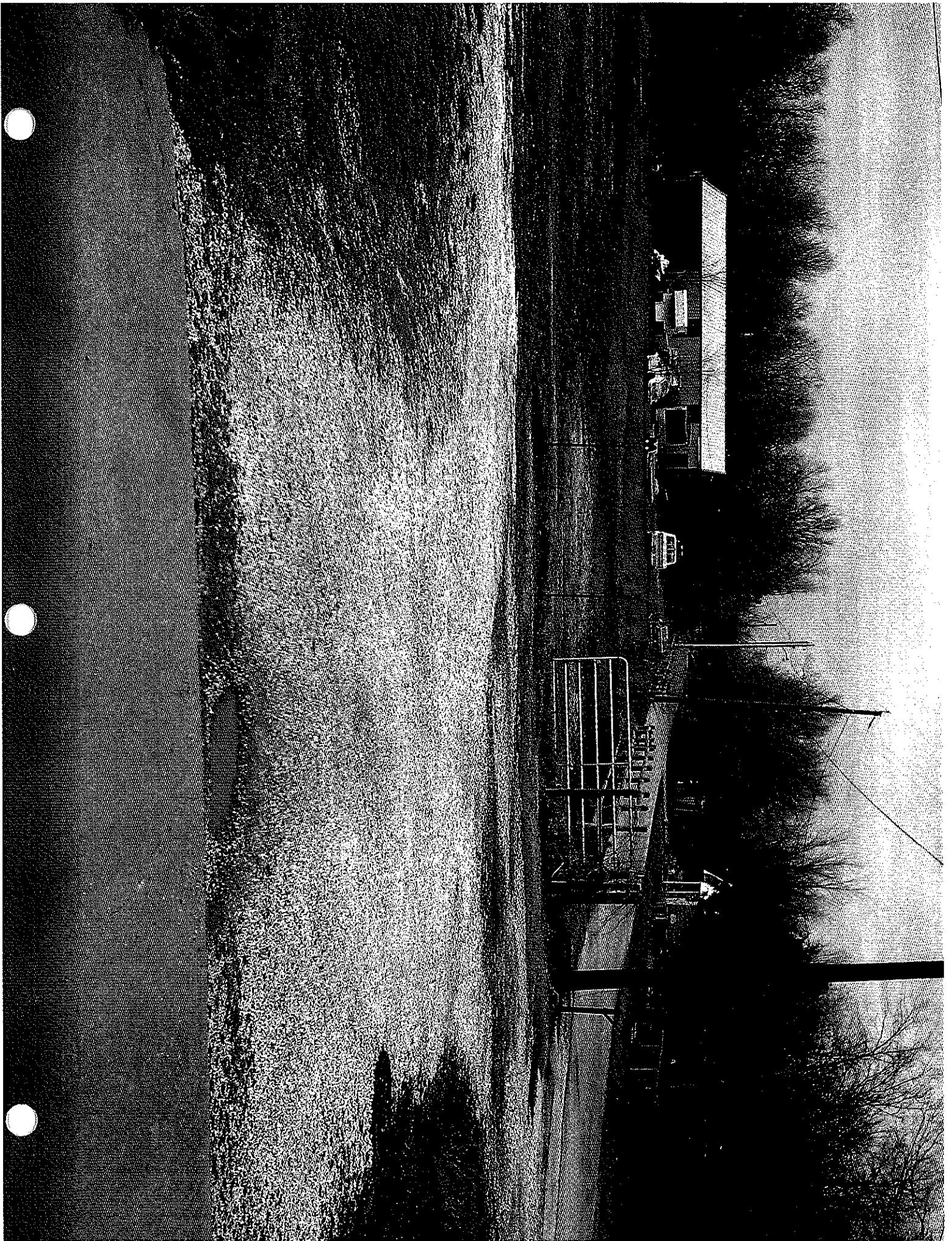
**PROPERTY SURVEY**

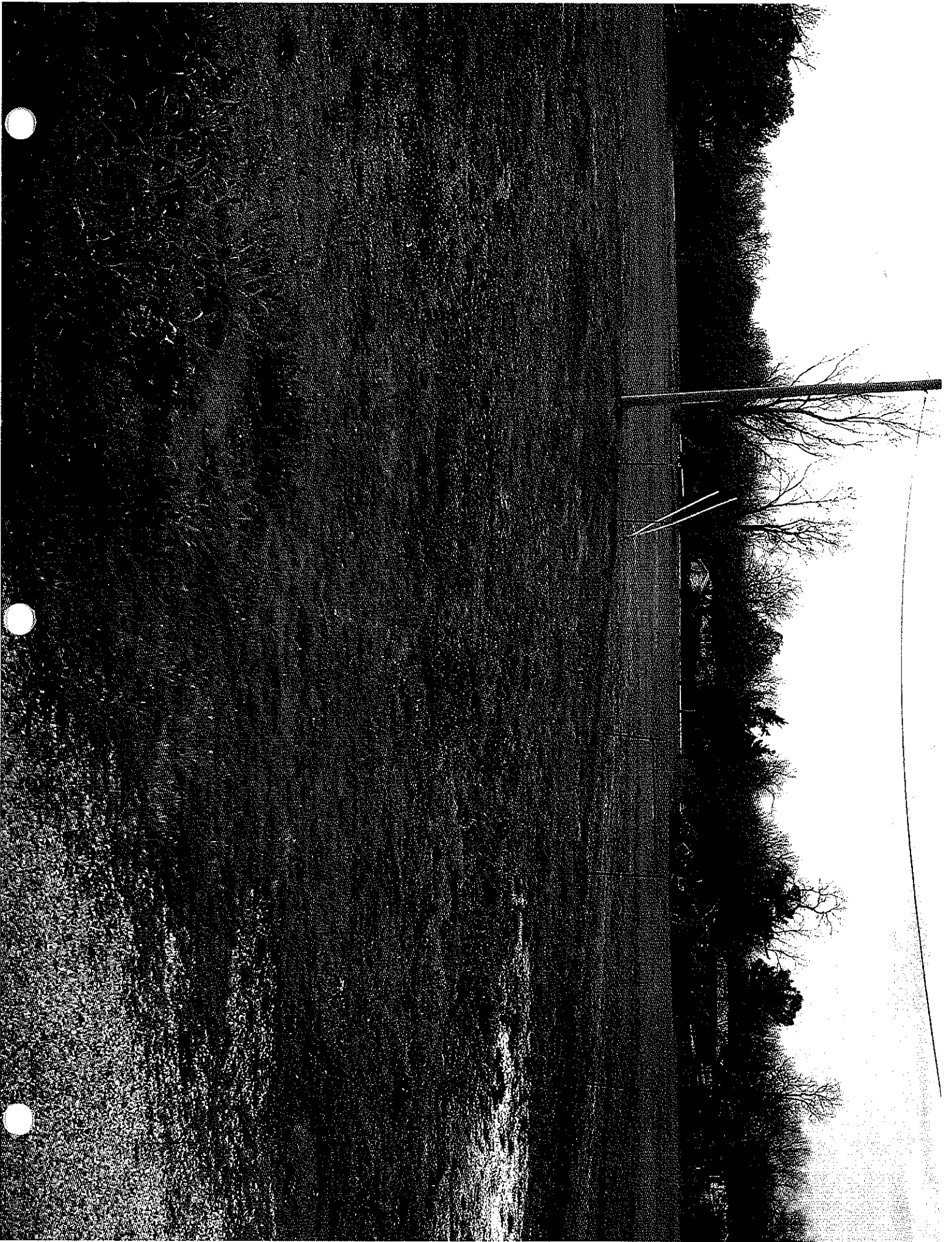
**Alan Reid & Associates**  
 PROFESSIONAL LAND SURVEYORS  
 BOUNDARY SURVEYORS

**ARA**  
 116 S. CUMBERLAND AVENUE  
 FAYETTEVILLE, ARKANSAS 72701  
 479-444-2725  
 479-444-2725 FAX  
 479-444-2725  
 ar@reidandassociates.com

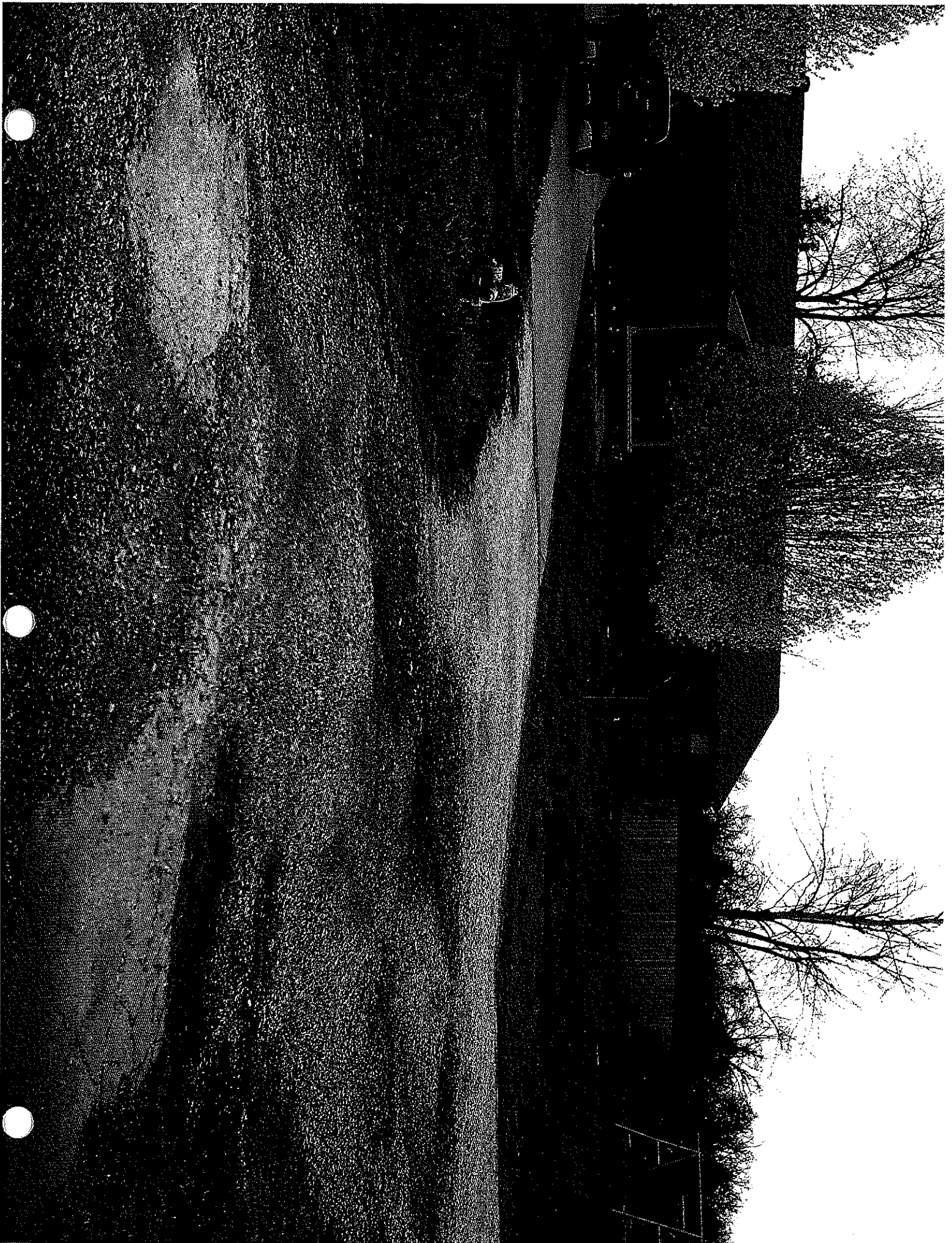
DATE	REVISIONS DESCRIPTION	BY

ADR/MS  
 12/17/12











# WARRANTY DEED

(CORPORATION)

KNOW ALL MEN BY THESE PRESENTS:

That Suburban Homes, Inc.  
a corporation organized under and by virtue of the laws of the State  
of Arkansas, hereinafter called Grantor, by its  
President and Secretary, duly authorized by proper resolution of its  
Board of Directors, for and in consideration of the sum of One Dollar  
(\$1.00) and other good and valuable consideration in hand paid by

City of Farmington, Arkansas

hereinafter called Grantee, does hereby grant, bargain and sell unto  
the said Grantee and Grantee's heirs and assigns, the following  
described land situate in

Washington County, State of Arkansas, to-wit:

FILED FOR RECORD  
 91 SEP 18 AM 11 27  
 WASHINGTON CO AR  
 A. KILLMEYER

Part of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section 26,  
Township 16 North, Range 31 West, and being more particularly described as beginning  
at a point which is S 89 degrees 41' E 315.18 feet and N 0 degrees 07' W 158.17 feet  
to the point of beginning, ang running thence West 40 feet; thence N 0 degrees 07' W  
50 feet, thence East 125 feet; thence S 0 degrees 07' E 50 feet, thence West 85 feet to  
the point of beginning.

TO HAVE AND TO HOLD the said lands and appurtenances thereunto belonging unto the said Grantee and Grantee's  
heirs and assigns, forever. And said corporation hereby covenants with the said Grantee that it is lawfully seized of said  
land and premises, that the same is unincumbered, and that it will forever warrant and defend the title to the said lands  
against all legal claims whatever.

IN TESTIMONY WHEREOF, the name of the Grantor is hereunto affixed by its President and its seal is affixed by its  
Secretary, this 13<sup>th</sup> day of September, 1991.

(Seal) SUBURBAN HOMES, INC.  
Name of Corporation

THIS INSTRUMENT PREPARED BY:

By Glenn Neal President  
Glenn Neal  
 By Wayne Neal Secretary  
Wayne Neal

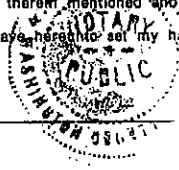
ACKNOWLEDGMENT

State of Arkansas } ss.  
 County of Washington }

On this the 13<sup>th</sup> day of September, 1991, before me, a notary public,  
 qualified and acting, within and for the said County and State, appeared in person the within named Glenn Neal  
 and Wayne Neal to me personally known, who stated that they were the President and Secretary  
 of the Suburban Homes, Inc., a corporation,  
 and were duly authorized in their respective capacities to execute the foregoing instrument for and in the name and behalf  
 of said corporation, and further stated and acknowledged that they had so signed, executed and delivered said instrument for  
 the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 13<sup>th</sup> day of September, 1991

My Commission Expires 8-8-99  
Notary Public Melvin R. Smith



LIBER 1433 PAGE 102





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: Landscape Ordinance  
Date: June 5, 2013

### **Recommendation**

City staff recommends approval of this ordinance.

### **Background**

The Farmington Planning Commission has been working on this ordinance for several months. A public hearing was held on May 28, 2013 for public discussion. One citizen; Ashley Phillips attended and voiced concern regarding the cost of implementing the landscape requirements for residential developers. The Planning Commission voted unanimously to forward the ordinance on to the Farmington City Council for review and approval.

















### **Discussion**

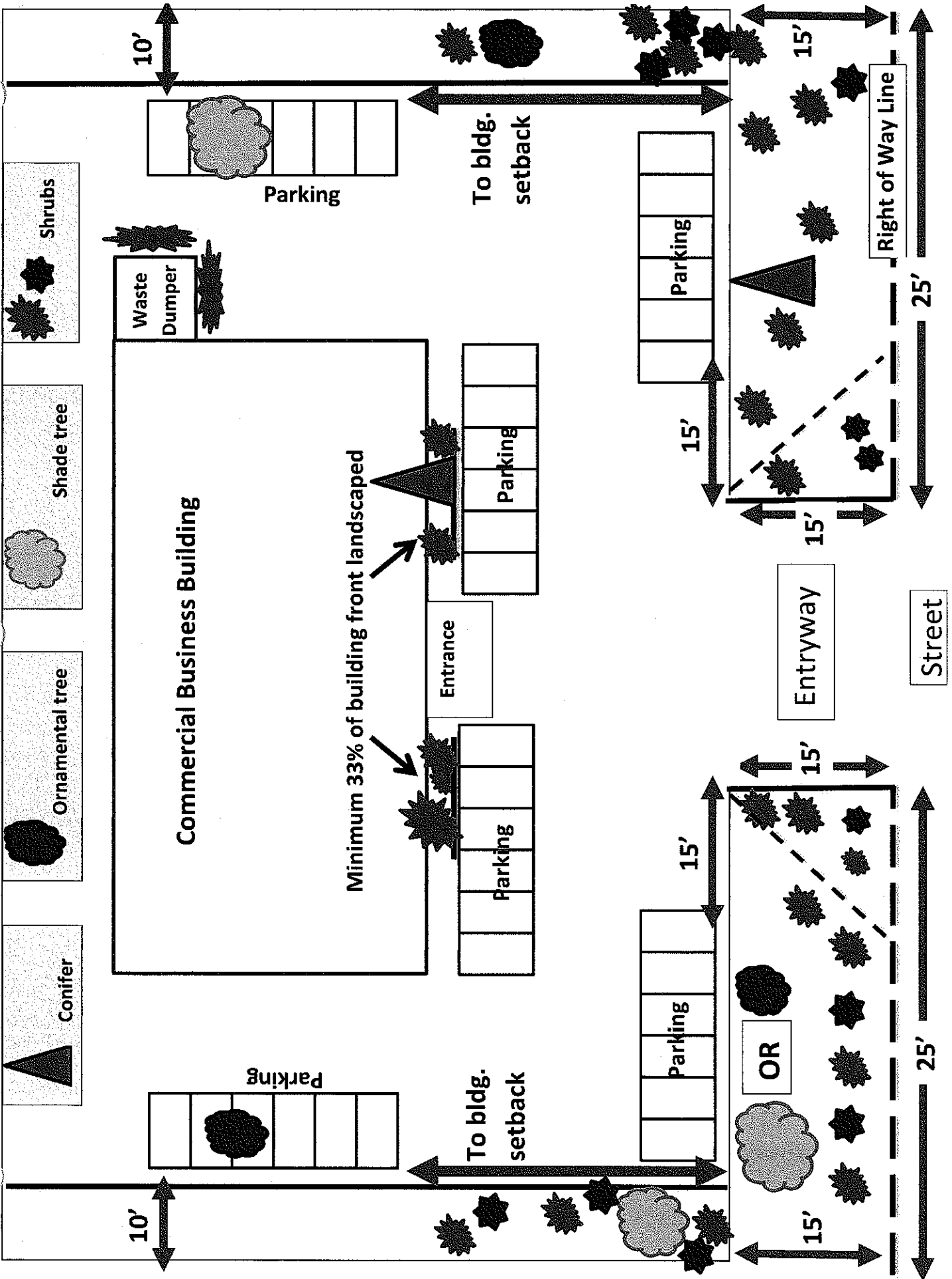
The Planning Commission has been requesting developers to approve their lots with landscaping but currently we have no ordinance to require installation of these improvements. They have worked for months struggling to come up with requirements that are not overly demanding but will add appeal to our commercial and residential areas. In addition to the ordinance, there are several documents that will add depth to your knowledge of landscaping in general and indicate why the various requirements have been suggested.

### **Budget Impact**

There will be no effect on the budget.

# Proposed Landscaping Ordinance Summary

-  Applicable zones: General Commercial (C-1), Highway Commercial (C-2), Multi-Family Residential (MF-1) and (MF-2), Residential Office (R-O), Mobile Home Park (MHP), and Industrial (I).
-  Preservation of existing trees is strongly encouraged!
-  A landscaping plan must be prepared and presented to Planning Commission along with the routine site plan. Landscaping plan also will be reviewed by a licensed professional landscape architect.
-  Property street frontage: Within each 25' X 15' depth, developer must plant **either one 1** shade tree, 1 ornamental tree **or 1 conifer** and 10 shrubs (see attached illustration) OR-street frontage can be a wall with landscaping OR a landscaped earth berm.
-  Property's Perimeter Buffer (sides from street frontage to building setback): Within each 25' X 10' segment, developer must plant 1 shade tree OR 1 ornamental tree and 6 shrubs.
-  Exception: If development has any type of residential housing beside it AND/OR behind it, then Perimeter Buffer must extend entire length of the side and/or back of property.
-  Landscaping may be formal and more uniform; OR trees and shrubs may be clustered in an informal design within the designated segments of space.
-  Provide landscaping for a minimum of 33% of building front.
-  Mulch and groundcover will be required for all new landscaping.
-  The landscape design may also include perennial grasses and perennial and/or annual plants to best suit the business site.
-  Xeriscaping (which uses drought-tolerant plants and planting techniques) is encouraged to decrease water use.
-  Parking lots with 60 or more parking spaces must incorporate landscaped parking islands to help direct traffic safely.
-  All landscaping plans must consider the safety of pedestrians and motorists.
-  If a subdivision developer wishes to landscape subdivision entryway(s), street frontage of subdivision and any large parking lot with 60 or more spaces, they must follow the ordinance guidelines.
-  Provide attractive screening for refuse storage areas, mechanical equipment, loading docks, and walk-in coolers.
-  All new subdivision developments must include land dedicated for a park **OR** contribute to the Farmington City Parks and Trails Development Fund at rate of \$600 per single-family unit and \$300 per multi-family unit.



# Tree benefits 101

By John Slater

The great Theodore Roosevelt once said, "To exist as a nation, to prosper as a state, and to live as a people, we must have trees."

One of the greatest conservationists of our time knew the true value of the natural world and spent a great deal of time surrounded by it. Today we have an impressive amount of research that proves President Roosevelt's own findings. Thanks to him, thousands of natural areas have been preserved and protected forever. To have a healthy, thriving city or town we need to continue his work. The U.S. Forest Service's Urban and community Forestry Program has been collecting research about the benefits of trees from many resources to produce the fact sheet below.

## Trees for People: Urban Forestry 101

### Trees cool cities and save energy

- Strategically planted urban trees reduce energy use by shading buildings in summer and blocking cold winter winds.
- As they grow trees remove carbon dioxide and other green house gasses from the atmosphere and sequester them in their leaves, branches, trunks and roots.

### Trees strengthen quality of place and the local economy

- Trees increase property values by 10 to 20 percent and attract more homebuyers.
- Trees increase municipal revenue through property tax assessments.
- Urban parks provide a setting for festivals and other special events that add millions of dollars to the local economy.
- In retail/commercial districts, shoppers spend more time and money and come back more often.
- Trees give people places to recreate, connect with nature and experience a sense of well being.

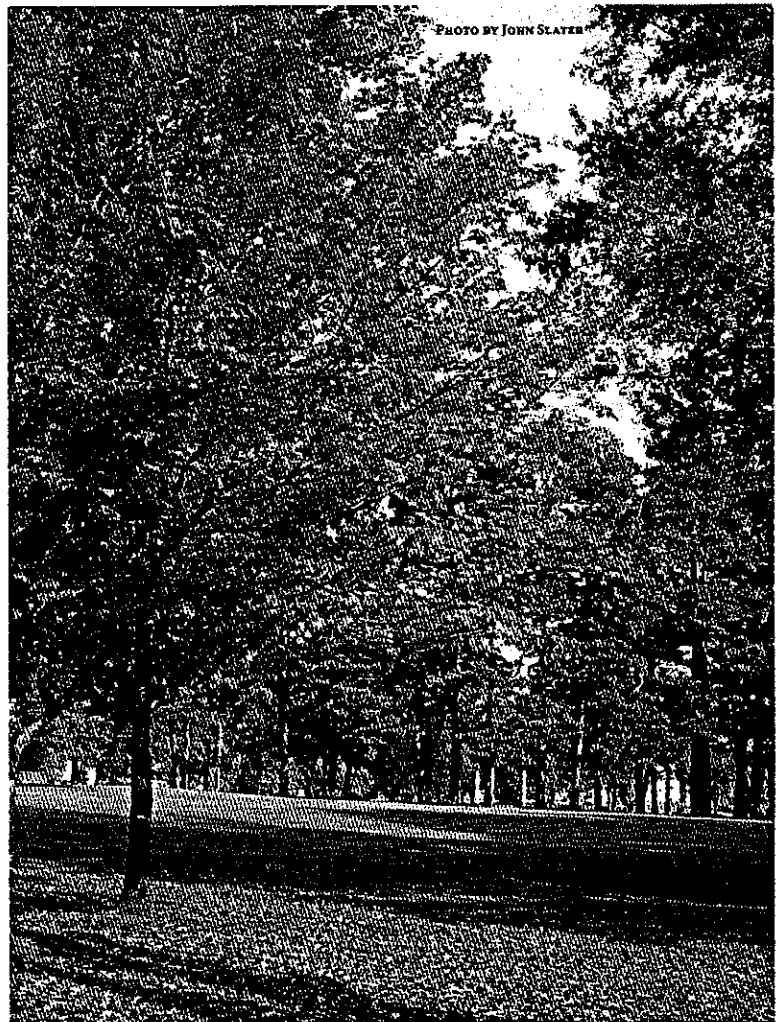
### Trees improve social connections

- Planting trees is one of the most valuable ways to engage residents.
- Planting creates safer, supportive neighborhoods working for a common vision.
- Trees are a focal point for community revitalization.

- Trees relieve mental fatigue and impulse control, restoring concentration.
- Trees offer a sense of place and improve the quality of life.
- Trees strengthen the social and economic components of environmental justice.

### Trees create walkable communities

- Tree-lined streets encourage people to walk in their communities and walk further.
- Street trees have been shown to calm traffic through neighborhoods.
- Trees strengthen Complete Street policies for all users.
- Making streets more walkable encourages transit-oriented development.



### **Trees improve air quality**

- Trees absorb gaseous pollutants through their leaves.
- Trees bind or dissolve water-soluble pollutants onto leaf surfaces.
- Trees intercept and store pollutants on the leaf surfaces.
- Trees capture and store air pollutants in the uneven, rough branches and trunk.
- Trees sequester CO<sub>2</sub> in trunk, branches and roots.
- Trees shade buildings and pavement, reducing the demand for air conditioning and the formation of ozone.

### **Trees reduce storm water runoff**

- Trees act as sponges that keep water on site and recharge the groundwater.
- A typical urban forest of 10,000 trees will retain 10 million gallons of rainwater per year.
- Trees reduce the amount of runoff and pollutants into creeks.
- While manmade drainage systems such as sewers and storm drains accelerate the flow of polluted water through community, trees slow it down and clean the water.
- Tree canopies and roots protect the soil from erosion.
- More trees equals lower costs for storm water management.

### **Trees help promote smart growth**

- Trees strengthen the urban core by improving public social space and the walking experience.
- Trees give people access to nature in the city.
- Trees add breathing room to more compact development.
- Trees separate incompatible uses and buffer noise pollution.
- Trees support mixed use that improves real estate values and the local economy.
- Trees create an interconnected framework of green infrastructure that recovers ecological function, biodiversity and wildlife habitat.

This information came from a factsheet produced by the U.S. Forest Service. The Southern Group of Urban Foresters, which consists of 13 southern states, works closely with USFS Urban and Community Forestry Program, and we share our materials.

**Make a Memory...Plant a Tree**



*John Slater is urban forestry partnership coordinator with the Arkansas Forestry Commission. Contact him at 501-984-5867, or at [john.slater@arkansas.gov](mailto:john.slater@arkansas.gov).*

# Economic Benefits of Landscaped Business Properties

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*Numerous careful research studies all over the USA in large and small towns consistently show the same positive results of having trees and other landscaping in the business districts. They also found that the investment in landscaping was a very good investment in their business. Here are some of the findings.*

Well maintained landscaping, including large shade trees, attracts consumers and increases their rate of return by setting a positive mood and sending messages of quality.

Shoppers were willing to travel greater distances to nicely landscaped shopping districts.

Shoppers feel that merchants of landscaped businesses would be more helpful, that product quality will be better, and they would be willing to pay more for products in places that have trees and other landscaping.

Many studies showed that consumers say in business districts with trees, they are willing to pay an average of 11% more for goods than in treeless districts.

In addition, consumers gave 30 percent higher ratings to the quality of goods, and 80 percent higher amenity and comfort ratings for tree-lined commercial streets.

In a survey of one southern city, 74% of the public preferred to patronize commercial establishments that had structures and parking lots planted with trees and other landscaping. *Source: Center for Urban Horticulture, University of Washington College of Forest Resources, 1998. "Urban Forest Values: Economic Benefits of Trees in Cities". Human Dimensions of the Urban Forest Fact Sheet No. 3.*

A variety of studies reveal that landscaping can increase the value of residential and commercial property from five to as much as 20%. The organization Partners for Livable Places maintains that plants and trees are the fastest, most cost-effective agents for changing negative perceptions of an area, enhancing the economic and social conditions and improving the psychosocial health. *Source: Relf, D. 1992. "Human Issues in Horticulture". HortTechnology 2(2)*

A recent study conducted by the Center for Urban Horticulture at the University of Washington found that trees in business districts can help to draw in more people. They create a positive mood (especially during seasonal changes), encourage exploration of many nearby businesses, and make the shopping area memorable.

Healthy and aesthetically pleasing trees outside businesses illustrate that businesses not only care about the quality inside their doors, but also care about the quality of the outside community.

Trees stimulate retail and commercial business districts by attracting shoppers, increasing sales and revitalizing declining downtowns.

In a survey of real estate appraisers, 86% agreed that landscaping added to the dollar value of commercial property, and 92% also agreed that landscaping enhances the sales appeal of commercial real estate.

The Center for Urban Horticulture at the University of Washington, Seattle estimates that rental rates for commercial property are about seven percent higher in areas with quality landscaping and trees.

Numerous studies have concluded that urban landscaping and parks have a positive economic effect on adjacent and nearby properties.

Properties adjacent to parks can have property values eight to twenty percent higher than comparable properties elsewhere.

An interview-based survey of business owners and business association staff indicates that trees and landscaping in neighborhood commercial districts:

1) create a pleasant space that attracts people; 2) act as an outdoor extension of the business' customer service commitment; and 3) can help to develop a distinctive identity for and define the boundaries of a business district, thereby encouraging return visits.

*Source: Center for Urban Horticulture, University of Washington College of Forest Resources, 1998. "Growing with Green: Business Districts and the Urban Forest". Human Dimensions of the Urban Forest Fact Sheet No. 2.*

A 25 foot tree reduces annual heating and cooling costs of a typical residence by 8 to 12 percent. While asphalt paving, and concrete building and walkways reflect heat causing "heat islands", a mature tree canopy reduces air temperatures by about 5-10 degrees F, influencing the internal temperatures and air conditioning needs of nearby buildings.

Americans travel about 2.3 billion miles per day on urban freeways and highways. In one study drivers seeing roadside nature scenes had a greater ability to cope with the stresses of daily driving.

Vehicles parked in the shade of a tree will have an interior temperature twenty to thirty degrees Fahrenheit cooler than a vehicle parked in the sun. This can increase the duration and frequency of consumer visits and their willingness to pay for parking.

A study of 100+ public high schools revealed consistent and systematically positive relationships between nature exposure and student performance. Campuses that had cafeteria and classroom views to outdoor spaces having greater quantities of trees and shrubs were associated with students having higher standardized test scores, graduation rates, and intentions to attend college, and fewer occurrences of criminal behavior.

In a study of workplace settings, people who had views of nature from their desks reported 23% fewer health ailments in the prior 6 months than those people who could not look out on nature. Employees with views of nature also reported greater overall job satisfaction.

Workers with views of nature from their work environment are less frustrated, more patient, have greater enthusiasm for their job, better health, and overall have a higher life satisfaction than those without views of nature.

#### City's Benefit:

Investment in parks and green infrastructure allows cities to take advantage of ecosystem services that lower long-run costs by reducing flood risk, enhancing stormwater management and treatment costs, and regulating temperature and climate.

<http://www.asla.org/economicmodels.aspx> *American Society of Landscape Architects website*

Deferred street maintenance costs: Paved surfaces that are shaded by trees have a longer life span. Asphalt paving is made up of a stone aggregate and oil binder. When it is unshaded and exposed to heat, the oil binder volatilizes and leaves the stone aggregate unprotected. Vehicles then loosen the aggregate, which consequently grinds down the pavement.

City receives increase in sales taxes from increased shopping within the city.

Tree canopies and roots and other vegetation protect the soil from erosion. So more trees means lower costs for storm water management.

#### Other Benefits of Trees:

City trees often serve several architectural and engineering functions. They provide privacy, emphasize views, screen out objectionable views, reduce glare and reflection, direct pedestrian traffic, provide background to and soften, complement, or enhance architecture.

In addition, attractive and historic trees can imbue a community with an individual spirit and inspire feelings of civic pride. When communities radiate feelings of pride and vitality, people are attracted both as tourists and residents.

Direct economic benefits are usually associated with energy costs. Air-conditioning costs are lower in a tree-shaded home or business and heating costs are less when trees serve as a windbreak.

Trees are a wise investment because they increase in value from the time they are planted until they mature.

City dwellers overwhelmingly desired trees in the urban environment. Eighty-three percent of those surveyed agreed that trees are important to their quality of life.

Healthy urban forests can improve neighborhoods by calming traffic, reducing noise pollution, encouraging pedestrian traffic, and fostering stronger community relationships.

Trees act as a buffer to reduce noise pollution, and can absorb as much as 50 percent of urban noise.



Trees help provide a sense of place and improve overall quality of life, which is appealing to increasing numbers of home buyers.

Trees strengthen the business areas of the city by improving public social space and encourage walking (which benefits small businesses.)

Trees support mixed-use that improves real estate values and the local economy.

Trees can be a focal point for community building and community revitalization.

#### Subdivisions:

In subdivisions, trees increase property values by 10% – 20% and attract more homebuyers.

A Clemson University study found landscaping can result in more than a 100% return on landscaping investment. They said: "Homeowners wanting to increase the value of their property will do well to consider the cost-effective, return potential of quality landscaping.

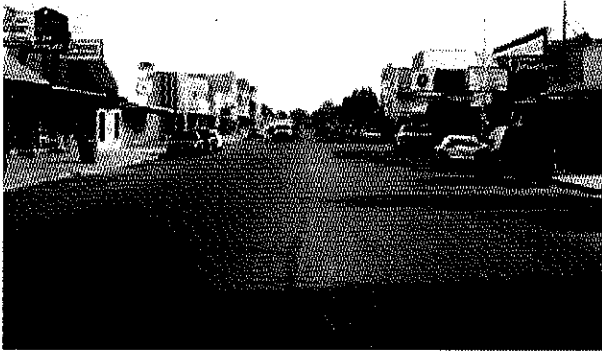
Consumers valued a landscaped home up to 11.3% higher than its base price, according to a Clemson University and University of Michigan study.

According to Greg McPherson of the Center for Urban Forestry, "if you plant a tree today on the west side of your home, in five years your energy bills should be three percent less. In fifteen years the savings will be nearly twelve percent." By planting two more trees—one on the west and one on the east—this savings can increase another ten percent. This amounts to almost one-fourth of a typical month's energy bill.

Here are some photos that were shown to people interviewed about business area landscaping to see what they liked best. Higher numbers meant they liked the view very much. Low numbers meant they did not like it. The scale was 1 to 4. Public preferences for business districts increase with the presence of more and larger trees! The same results are found in studies of both small and big city business districts.



Highest rated **street scene** 3.80



Lowest rated **street scene** 1.34



Highest rated scene, other landscaping 3.95

This study got opinions of both residents AND VISITORS. Rating was from 1 to 4.



**Full Street Canopy overall average: 3.63**  
**Resident: 3.58    Visitor: 3.66**



**Intermittent Trees overall average: 2.78**  
**Resident: 2.96    Visitor: 2.61**



**No Trees overall average: 1.65**  
**Resident: 1.69    Visitor: 1.60**

ORDINANCE NO. 2013-03

AN ORDINANCE PRESCRIBING AND REGULATING LANDSCAPING AND NATURAL VEGETATION PRESERVATION FOR CERTAIN ZONES IN THE CITY OF FARMINGTON, ARKANSAS FOR THE PURPOSE OF ENHANCING THE GENERAL APPEARANCE, ENSURING PROTECTION, SAFETY, AND QUALITY OF LIFE OF THE CITIZENS; PRESERVING EXISTING OPEN SPACE AND NATIVE, EXISTING VEGETATION AND GREENSPACE; IMPROVING ENVIRONMENTAL QUALITY; AND PRESCRIBING REMEDIES FOR NON-COMPLIANCE.

**ARTICLE I STATEMENT OF PURPOSE**

The requirements set forth herein are enacted to: promote the health, safety and general welfare of the citizens of Farmington; enhance the attractiveness of the City by establishing standards for landscaping of new developments or additions in certain zones; protect native and specimen trees from unnecessary removal and from damage during construction; prevent unnecessary grading of land during construction; provide for tree, plant, and other natural vegetation material replacement; provide visual screening and sound buffers; screen incompatible land uses; improve air quality; slow or prevent storm water runoff; enhance appearance of parking lots; provide option of establishing parks within developments; provide enhanced habitat for wildlife; and ensure compliance with these standards in new developments and renovations.

**ARTICLE II JURISDICTION**

The jurisdiction of this ordinance shall include all land within the city limits of Farmington, Arkansas, any land added to the city limits, and/or planning district, for whatever reason, after the adoption of this ordinance.

**ARTICLE III APPLICABILITY**

The requirements of this ordinance shall apply in full, after the date that this ordinance is adopted, to:

- (1) Zoning Districts for which a building permit is required by the City of Farmington for new construction or addition to existing structure: General Commercial (C-1), Highway Commercial (C-2), Multi-Family Residential (MF-1), Multi-Family Residential (MF-2), Residential Office (R-O), Mobile Home Park (MHP), and Industrial (I).
- (2) New multi-lot residential development with designed entryway(s) and/or parking lot of sixty (60) or more spaces in Residential Estate (RE-1), Residential Estate (RE-2), Residential Single Family (R-1), and Residential Single Family (R-2).
- (3) New parking lots or expansion of existing parking lots in any zone which will increase parking spaces to sixty (60) or more spaces, or to parking lots with fewer than sixty (60) spaces, when the Planning Commission deems necessary for improved control and safety of pedestrians and motorists.

Exemption: Any individual who builds or remodels a single-family home located in any zoning district is exempted from all requirements of this ordinance.

**ARTICLE IV LANDSCAPE SITE PLAN REQUIREMENTS**

Final 5/27/2013

The following specific information shall be shown on a scaled Landscape Plan prepared by a licensed landscape architect or a certified landscape company. Nine copies of the Landscape Plan shall be submitted with the Site Plan in a 24" x 36" format to the City of Farmington Planning Commission for review and plan approval.

- (1) Total square footage of proposed landscape area.
- (2) Development project title with names and contact information of project planner, developer, owner, landscape architect or landscaper; scale, date, legend, North Arrow, and general vicinity map indicating existing land uses abutting all boundaries of the proposed development.
- (3) Street Frontage Buffer, Perimeter Buffer of sides and back with landscaping area marked with legend symbols for proposed landscaping, right of way, and easements. See ARTICLE VI and ARTICLE VII for specific requirements.
- (4) Proposed Parking Lot Buffer landscaping, as required in ARTICLE VIII, marked with legend symbols, including number of parking spaces; location of ingress, egress, and access roadways; location of pedestrian walkways.
- (5) Landscaping areas immediately adjacent to front of building(s). See ARTICLE IX -LANDSCAPING REQUIREMENTS ADJACENT TO BUILDING(S).
- (6) Location and general species of existing trees with a DBH of six (6) inches or greater and all Specimen Trees, located within street buffer planting area(s), required side and rear buffers, parking lot, areas, and other open areas. Trees that developer will preserve and trees developer requests to remove shall be clearly indicated.
- (7) Description of barrier protection that shall be used around preserved vegetation during construction. See ARTICLE V - GENERAL PROVISIONS, D. 3.
- (8) Plant list including plants, trees, ornamental grasses, and shrubs with common name and botanical name, cultivar or variety (including distinctive features such as flower color), size of container or tree caliper. See Article XIV for suggested landscape materials suitable for the Northwest Arkansas Planting Zone 6b.
- (9) Planting and installation details for shrubs and trees to ensure conformance with all required standards of this ordinance.
- (10) Location, description and size of other proposed or existing landscape improvements such as sidewalks, walls, fences, screens, earth berms; storm water collection facilities such as rain gardens and detention ponds; sculptures, statues, fountains, street furniture, outdoor lighting, courtyards, or other paved areas.
- (11) Location of existing and proposed physical features such as easements, streets, utilities, buildings, signs, and waterways.

- (12) Location of trash/refuse bin(s), service bays, loading areas or docks, outdoor storage areas, mechanical equipment, walk-in coolers, and description of proposed required screening. See Article V. General Provisions, M., N. O. and P.
- (13) Type of irrigation system(s). Include details such as spray, drip, or other type of irrigation (such as well water), controller, backflow device, pressure reducer, waterline, and meter locations.
- (14) Developer's performance bond that shall guarantee all plant material shall be planted in accordance with this ordinance and that survival shall be warranted for 24 months from date of installation; and if any plant materials fail to survive during that 24 month period, they shall be replaced within the time period required in this ordinance. See ARTICLE XI – PERFORMANCE BOND, LANDSCAPING INSTALLATION, MAINTENANCE, AND REPLACEMENT OF LANDSCAPING MATERIALS.
- (15) Location and type of all existing and proposed outdoor lighting including: light pole standards and fixtures, showing location, number, height, light wattage, and design type; and any lights that will be attached to buildings or other structures.
- (16) "Sight-Triangle" at entryways clearly marked and proposed landscaping shown. See Article V. General Provisions, K. Sight-Triangle Requirements at Entryways.
- (17) Parking and/or storage location of any service vehicles, portable machinery and equipment, large tools, construction equipment, food cooking devices, or other business-related equipment, and type of required screening that will shield them from public view.

## **ARTICLE V GENERAL PROVISIONS**

- A. Permits for building, paving, utilities, or construction shall not be issued until a Landscape Site Plan including all required information is approved by the Planning Commission. The Landscape Site Plan must be submitted with the Site Plan.
- B. All landscaping design plans shall be designed with public safety in mind. Landscaping shall not interfere with motorist or pedestrian visibility and safety.
- C. Landscaping shall not interfere with the general function, safety, or accessibility of any gas, electric, water, sewer, telephone, television cable, or other utility easement; fire hydrant, traffic sign, or traffic signal.
- D. Preservation of existing vegetation:
  - (1) Retain and incorporate as is practical, substantial stands of healthy, disease free vegetation and environmentally sensitive or significant natural areas such as woodlands, prairie, and wetlands, into the development site.
  - (2) Credit for preservation of trees with a six inch (6") diameter or larger, or Specimen Trees, may result in reduction of number of required new trees and/or shrubs, after review and approval of developer's tree preservation proposal by Planning Commission.

- (3) Preserved trees and other preserved vegetation shall be shown on Landscape Plan. Before construction work begins, trees shall be protected by installation of chain-link fencing protection barriers at drip-line of tree to prevent of tree root compaction in the critical root zone during building construction. Chain-link may be removed as necessary for final job completion. Other preserved vegetation shall be clearly marked with colored tape and flags.
- (4) Grading and removal of soil shall not occur within the drip line of canopy of tree(s) to be preserved.
- (5) Any type of construction debris or chemicals shall not be placed within twenty-five feet (25') of preserved trees.

E. Trees, shrubs, and plants used in the landscape design shall be:

- (1) Appropriate to the soil, sunlight, and soil-moisture conditions in which they are planted thus resulting in low maintenance, high-quality design, with limited water requirements. Vegetation native to the area is encouraged.
- (2) High-quality, nursery-grown stock of healthy condition that meets the American Association of Nurserymen standards as specified by the American National Standards Institute in ANSI Z60.1-1986, or as may be amended in the future.
- (3) Planted in a manner that ensures availability of sufficient soil and water immediately after planting, and with sufficient nutrients, weed barrier, irrigation system, and mulching, to sustain healthy growth.
- (4) Be planted in protected areas where vehicular traffic shall not compact the soil in trees' root-spread area. A minimum of 25 square feet of permeable ground surface area per tree is recommended.
- (5) Trees, shrubs and other vegetation, at planting, shall meet the following specifications:

<b>Vegetation Type</b>	<b>Minimum Diameter (when measured at height of 4.5 feet above ground level)</b>	<b>Minimum Height at Planting</b>
<b>Shade trees</b>	2.5"	Variable (8' – 10')
<b>Ornamental trees</b>	1.5"	Variable (6' – 8')
<b>Evergreen trees</b>	---	Minimum of 6'
	<b>Container Size</b>	
<b>Shrubs</b>	3 gallon	2'-3' feet depending on variety
<b>Ornamental grasses (perennial)</b>	1 gallon	Variable

- (6) Where it is impossible or impractical to plant trees, developer may request approval from Planning Commission to substitute 3-gallon-size shrubs in a ratio of ten shrubs per one required shade tree.
- (7) Only non-invasive vegetation shall be planted. (See ARTICLE XIV for list of banned trees, shrubs, and other invasive vegetation.)

F. Groundcover Requirements in specified landscape design areas:

- (1) Living plant material. Grass or evergreen groundcover plants shall make up a minimum of 50% of the groundcover for landscaped areas. However, a larger percentage of evergreen groundcover is encouraged.
- (2) Mulch.
  - (a) Commercially sold hardwood mulch shall be placed in all areas where there is no grass or evergreen groundcover.
  - (b) Artificially colored mulch may not be used.
  - (c) The minimum depth of the wood mulch shall be three (3) inches.
  - (d) Owner shall be responsible for replacing or supplementing mulch annually to maintain a 3" depth.
- (3) Prohibited groundcover. Gravel base material, white chat, lava rock, asphalt, concrete, brick pavers, cement pavers, or other specific paver varieties, aggregate pavement material or other pavement material shall not be used. Invasive plants and invasive groundcover (listed in ARTICLE XIV) shall not be used.
- (4) Brick pavers, cement pavers, or other specific paver varieties shall not be used as groundcover but they may be used to create walkways.

G. Massing, clustering, or grouping of required vegetative plant materials adds visual interest and is encouraged. Maximum distance between massed groups is twenty-five feet (25'). Groupings must be integrated into a planting bed or in a curbed area for easier maintenance and tidier appearance.

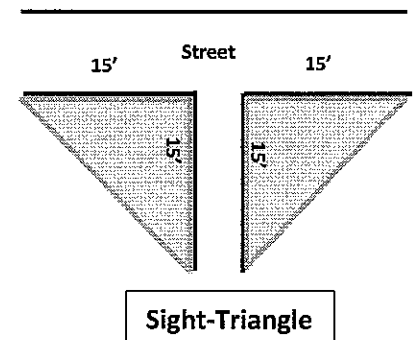
H. Landscaped areas shall include an irrigation system. No irrigation shall be required for undisturbed natural areas or undisturbed existing trees.

I. Required landscape areas shall not include artificial trees, shrubs, plants, or any synthetic carpeting designed to mimic grass unless specifically approved by the Planning Commission.

J. Street and highway rights-of-way shall be restored and maintained with turf grass or other vegetative ground cover.

K. Sight-Triangle requirements for business entryway:  
Sight-Triangle shall measure fifteen (15) feet along the entryway and fifteen (15) feet along the Public Street or Highway.

Vegetation planted within sight-triangle shall be a maximum height of 30" – 36" at maturity. Trees may be included if limbs are pruned up to provide clear view of traffic for pedestrians and motorists.



L. Detention Pond and Water Quality Pond Landscaping:

- (1) Perimeter of pond shall be landscaped with low, dense vegetation that hinders or prevents access into the detention pond area by small children, while maintaining a clear view of pond.
- (2) Pond landscaping shall be maintained to prevent clogged drains.



M. Trash/Refuse/Garbage Storage Areas Screening:

- (1) Shall be located behind the building unless Planning Commission approves another location.
- (2) Shall be located a minimum of fifty (50) feet from any Residential or Multi-Family zoned property.
- (3) Shall be screened five feet (5') high on all sides by walls constructed of materials matching the primary building, masonry or by wood fencing, and shall have a secure access gate.
- (4) Shall be landscaped with some type of vegetation planted in front of sides seen from street, highway, or adjacent residential dwellings. Vegetative screening shall be equally effective in all seasons of the year.
- (5) All types of chain-link fence screening and plain, unembellished concrete block walls shall be prohibited.
- (6) Shall be located on a reinforced concrete slab a minimum of six inches thick and sloped to drain.

N. Mechanical equipment screening.

- (1) All roof, ground, and wall-mounted mechanical equipment such as air handling equipment, compressors, ductwork, transformers and elevator equipment located within 150 feet of a street or highway right-of-way, residential housing, or public park areas, shall be screened from view or positioned so that they are not highly visible.
- (2) Wall- or ground-mounted equipment shall be screened by any combination of: vegetative screening, brick, stone, reinforced concrete, stucco, or other similar masonry materials; or other materials that match the primary building, and allow proper ventilation and service access.

O. Loading dock screening when located adjacent to all Residential, MF-1, MF-2, R-O, or MHP zoning districts, or can be viewed from a street or highway:

- (1) Shall be located at the side (toward the back of structure) or rear of building.
- (2) Shall not be located closer than 50 feet to any residential zone, unless loading dock area is wholly enclosed within a building.
- (3) Shall be screened on all visible sides by a wall with exterior finish similar to primary structure, and with vegetative screening that will be a minimum of seven feet (7') at maturity.

P. Walk-in Cooler Screening:

- (1) Shall be structurally integrated into the primary structure by screening walls with exterior finish similar to primary structure.
- (2) Vegetative screening with minimum height at maturity of seven feet (7') shall be planted in front of screening walls that are visible from residential areas and roadways.

(3) Alternative, innovative screening combinations shall be considered by Planning Commission.

Q. In C-1 and C-2 zoning districts, merchandise displayed for sale must be located behind the fifteen foot (15') depth Street Frontage Buffer. This provision shall apply to new and existing commercial properties.

R. Protection of Public Safety and Welfare.

Whenever deemed necessary to protect the aesthetic value of property being developed, or adjoining or nearby properties, and to otherwise promote public health, safety or welfare, the Planning Commission shall specify additional conditions.

**ARTICLE VI STREET FRONTAGE BUFFER LANDSCAPING IN COMMERCIAL (C-1), COMMERCIAL (C-2), MULTI-FAMILY-1 (MF-1), MULTI-FAMILY-2 (MF-2), RESIDENTIAL-OFFICE (R-O), MOBILE HOME PARK (MHP), AND INDUSTRIAL (I) ZONING DISTRICTS**

A. **Purpose.** To enhance the overall appearance of the City of Farmington; to provide a landscaped transition from the public right-of-way to private property buildings and parking lots; to provide a visual buffer from projecting headlights that might interfere with the vision of passing motorists and pedestrians; to improve the appearance of parking lots located adjacent to a public right-of-way, and to encourage preservation of existing trees and other existing vegetation.

**B. General Provisions.**

(1) With approval of Planning Commission, several Street Frontage Buffer options may be combined to meet the particular site constraints of the development.

(2) Existing native trees of 6" DBH or larger, or Specimen Trees, shall be preserved anywhere within the street frontage buffer area unless preservation creates traffic hazards.

(3) Each preserved existing trees of 6" DBH or larger, or Specimen Trees shall constitute three new trees in meeting the street frontage buffer tree requirements.

(4) A corner lot with two street/highway rights-of-way must be planted using the Street Frontage Buffer options. The remaining side and rear shall use the Landscaped Perimeter landscape requirements.

(5) Within each fifteen feet (15') depth and twenty-five linear feet (25') of street frontage, the required minimum number of trees and shrubs may be spaced separately, or grouped for most attractive appearance.

(6) All landscaped areas shall be integrated into a curbed planting bed to ease maintenance and must utilize weed barrier and vegetative groundcover and wood mulch applied according to the standards in ARTICLE V, F. Gravel and other banned groundcover shall not be used.

(7) Vegetation planted within three feet (3') of the right-of-way shall have maximum height of 30" – 36" at maturity. Trees may be included if limbs are pruned up to provide clear view of traffic for pedestrians and motorists. At entryways all Sight-Triangle Requirements shall apply. See ARTICLE V. General Provisions, K. Sight-Triangle Requirements for business entryway.

- (8) Designated parking and loading areas shall be used exclusively for the parking and loading of vehicles and shall not be used for the sale, lease, display, repair, or storage of vehicles, trailers, boats, campers, mobile homes, merchandise, earth-moving equipment, farm equipment, cooking equipment, or other business-related items.
- (9) If a developer's request for fewer than required number of trees, shrubs, and any other vegetative materials per twenty-five linear feet (25') is approved by Planning Commission, remaining vegetation shall be planted elsewhere within development.
- (10) Where greater depth than 15 foot (15') minimum is used, number of required vegetative items shall be increased by two (2) per each five foot (5') increase in depth. Developer may choose from any combination of shade trees, ornamental trees, conifer trees, and/or shrubs for each additional five foot (5') buffer depth. With greater depth, adjustments to planting location requirements may be made upon review and approval of the Planning Commission.
- (11) Chain link fencing and any other type of wire fencing shall not be allowed.

**C. Fifteen foot (15') Street Frontage Buffer Minimum Landscaping Requirements per twenty-five linear feet (25'):**

- (1) One shade tree with 2.5" diameter at 4.5 feet above the ground, or one ornamental tree with 1.5" diameter at 4.5 feet above ground, or one Conifer (evergreen) tree a minimum of six (6') feet tall at planting.
- (2) Ten (10) shrubs (3 gallon size) with approximately 30% being ever-green.
- (3) Perennial ornamental grasses, perennial plants and other vegetation may be added at landscaper's discretion.
- (4) Mulch.

**D. Wall Buffer - Per Twenty-Five Linear Feet (25')**

- (1) Minimum three foot (3') high reinforced wall composed of brick, stone, stucco, or other finished concrete treatment. Walls taller than three feet shall be designed by a structural engineer to ensure safety. Wrought iron fencing may also be used.
- (2) Minimum wall setback. Setback from city, county, or state right-of-way shall be determined by regulations of City, County or Arkansas State Highway Department to assure clear visibility

**E. Landscaped Earth Berm Street Frontage Buffer Requirements**

- (1) May be used if it does not create flooded roadways and walkways, and does not impede view of pedestrian and vehicular traffic.
- (2) Trees, shrubs, perennial ornamental grasses, and other vegetation may be incorporated into the landscaping design as best provides attractive street buffer while maintaining a clear view for motorists and pedestrians.

- (3) Maximum height shall be 30" – 36" in height at maturity anywhere within berm that pedestrian or motorist view might be impeded.
- (4) Sight-Triangle requirements at entryways shall be followed. See Article V. General Provisions, K. Sight-Triangle Requirements at Entryways for specific requirements.
- (5) At least fifty percent (50%) of groundcover on berm shall be turf grass or evergreen vegetation with remaining groundcover being mulch.

**ARTICLE VII LANDSCAPED PERIMETER BUFFER IN COMMERCIAL (C-1), COMMERCIAL (C-2), MULTI-FAMILY-1 (MF-1), MULTI-FAMILY-2 (MF-2), RESIDENTIAL OFFICE (R-O), MOBILE HOME PARK (MHP), AND INDUSTRIAL (I) ZONING DISTRICTS**

**A. Purpose.** Perimeter landscaping, a peripheral planting strip along the side and rear lot lines that separates land uses /or properties, prevents two adjacent commercial lots from becoming one large expanse of pavement; provides an aesthetically attractive separation between properties in densely developed areas; and protects residential dwellings by providing noise abatement, preventing glare from headlights and property lighting, and providing privacy; and enhances the general appearance of all properties.

**B. General Requirements.**

- (1) The Landscaping Plan for all proposed development shall show perimeter landscaping, in addition to landscaped street frontage buffer and interior parking lot landscaping that is required.
- (2) Preservation of existing trees or other native vegetation is strongly encouraged and will count toward total number of required trees.
- (3) Minimum Width. A ten (10) foot landscaped perimeter buffer is required along the side lot lines of a development.
- (4) Required extension of side perimeter buffer shall extend from street frontage back to front edge of building unless property is adjacent to residential housing in which case the perimeter buffer shall extend the length of the property. See Article VII. E. below for specific requirements.
- (5) No back perimeter buffer is required unless adjacent to residential housing. See Article VII. E. below for specific requirements.

**C. Landscaped Perimeter Buffer Minimum Requirements - per twenty-five (25') linear feet**

- (1) One (1) shade tree – 2.5" diameter (minimum) @ 4.5 feet above the ground  
OR One (1) ornamental tree – 1.5" diameter (minimum) @ 4.5 feet above the ground OR one Conifer (evergreen) tree a minimum of six (6') feet tall at planting.
- (2) Six (6) shrubs – 3 gallon size (with approximately one-half being evergreen shrubs)

- (3) Groundcover. New plantings in perimeter landscaped areas shall be mulched. Preserved existing vegetation does not require mulch. (See Article V. General Provisions, F. Groundcover Requirements.)
- (4) Massing/Grouping of Plantings. Massing, clustering, or grouping of alternating plant materials with a combination of trees and shrubs provides visual interest and is encouraged. The maximum distance between massed groups is twenty-five (25) feet.

D. **Vehicular access.** The perimeter landscaping requirement does not preclude the need for vehicular access to be provided between adjacent lots and allowance may be made as necessary upon approval of Planning Commission.

E. **Special Side and Rear Perimeter Screening Requirements for C-1, C-2, MHP, R-O, or Industrial Development Adjacent To Residential or Multi-Family Housing.**

Developer shall provide complete screening by means of a physical barrier and landscaping.

- (1) The effective height of the physical barrier shall be a minimum of six feet (6') in height. Such a barrier shall consist of wood or masonry fencing, walls, and/or berms, and shall include required landscaping plant material.
- (2) Landscaping shall be placed in front of the barrier to provide noise abatement. It shall consist of as many trees and shrubs as necessary, and of suitable size and density to provide 60% coverage of the physical barrier within two years of planting.
- (3) Tree preservation. Existing shade trees with DBH of six inches (6") or greater and/or Specimen Trees may be included as part of the vegetative screening requirement in a ratio of one (1) preserved tree to two (2) new trees.

**ARTICLE VIII PARKING LOT LANDSCAPING IN COMMERCIAL C-1), COMMERCIAL (C-2), MULTI-FAMILY-1 (MF-1), MULTI-FAMILY-2 (MF-2), RESIDENTIAL OFFICE (R-O), MOBILE HOME PARK (MHP), AND INDUSTRIAL (I) ZONING DISTRICTS**

A. **Purpose.** To improve the appearance of parking lot and entire property with attractive landscaping; to create a safe parking area for pedestrians and motorists; where feasible, to preserve existing trees, or plant new trees to provide shade; to provide buffer from headlight glare and noise between adjacent properties, and to ensure privacy of residents living adjacent to parking areas.

B. **Applicability.** Parking lot landscaping requirements shall apply to any development or addition requiring a building permit from the City of Farmington in COMMERCIAL (C-1) and COMMERCIAL (C-2), MULTI-FAMILY-1 (MF-1), MULTI-FAMILY-2 (MF-2), RESIDENTIAL OFFICE (R-O), MOBILE HOME PARK (MHP), and INDUSTRIAL (I) Zoning Districts.

C. **General Provisions.**

- (1) Landscaping shall not block motorist or pedestrian view.

- (2) The landscape design of parking areas may vary based on the qualities and layout restrictions of the property to be developed.
- (3) Parking lot landscaping may be incorporated into the street frontage buffer landscaping requirements and the perimeter buffer landscaping requirements by adding additional landscaping to serve as a complete visual buffer between properties.
- (4) Landscaping may be added to the inaccessible, unusable corners of parking lots. Existing trees may be preserved in these areas.
- (5) Existing mature trees with a minimum six inch (6") DBH, or Specimen Trees, may be preserved and applied toward required tree requirements.
- (6) Minimum size of shade trees and ornamental trees at planting shall be:  
Shade tree: 2.5" diameter @ 4.5 feet above ground  
Ornamental tree: 1.5" diameter @ 4.5 feet above ground
- (7) Parking island(s) shall be incorporated into new parking lots or expanded existing parking lots in any zone in which there will be sixty (60) spaces, or more, or in parking lots with fewer than sixty (60) spaces, when the Planning Commission deems them necessary for improved control and safety of pedestrians and motorists.
- (8) Each island shall be landscaped with a minimum of one hardy shade tree or ornamental tree, or low-maintenance shrubs unless waived by Planning Commission due to safety purposes.
- (9) Mulch, turf grass and/or evergreen groundcover shall be used in each island.
- (10) When Planning Commission waives tree/shrub requirement due to safety considerations, parking island shall be landscaped with turf grass, low ornamental grass, groundcover, mulch, or a combination of these.

**D. Special Screening Standards for Parking Lot Adjacent To Residential and Multi-Family Housing Zones.**

Development adjacent to a residential or multi-family zone, shall meet increased landscaping standards to minimize noise and light glare and to ensure privacy. The location and construction of such screening shall be approved by the Planning Commission.

- (1) Physical barrier to provide full screening shall be a minimum of six feet (6') in height and may consist of wood or masonry fencing, rock or brick walls, berms, or a combination of these methods.
- (2) Plant material shall be placed in front of the barrier to provide noise abatement and increase aesthetic quality of parking lot.
- (3) Trees and shrubs planted shall provide 60% coverage of the physical barrier within two (2) years.
- (4) At least one-half of the trees and shrubs shall be of an evergreen type that maintain leaves year round.

- (5) Tree preservation. Existing healthy shade or specimen trees with DBH of six inches (6") or greater shall be included as a portion of the landscape screening.

#### ARTICLE IX LANDSCAPING REQUIREMENTS ADJACENT TO BUILDING(S)

- A. **Purpose.** To enhance the overall appearance of the front of building(s) within a development.
- B. **Landscaping Requirements.** Plant shrubs, perennial ornamental grasses, perennial plants, or other vegetation in curbed planting beds immediately adjacent to building or buildings, spanning a minimum of one-third of building(s) frontage. Additional plantings on sides of building(s) are at discretion of builder or owner.

#### ARTICLE X RESIDENTIAL DEVELOPMENT LANDSCAPING

- A. **Purpose.** Landscaping is an integral, planned component of residential subdivisions that promotes the development, defines major entryways, defines vehicular and pedestrian roadways, increases property values, and enhances the overall aesthetic qualities. Landscaping in a residential development provides landscaped buffer screening from adjacent, more intensive or incompatible land use areas or vehicular traffic. Developers are encouraged to utilize some, or all, of these enhancements.
- B. **Landscaping Requirements.** The Landscaping Plan for a residential development shall show landscaping of entryways, neighborhood park(s), Street Frontage Buffer, and/or designated interior public parking lots.
- (1) A landscaped Street Frontage Buffer, if included, shall meet these landscaping guidelines:
    - (a) Minimum depth of fifteen (15) feet from street right-of-way.
    - (b) Trees – minimum of one shade tree with a two-and-one-half inch (2.5") diameter minimum, or one ornamental tree with a one-and-one-half inch (1.5") diameter minimum) or one conifer of six foot (6') height or greater, per 25 linear feet.
    - (c) Shrubs, perennial ornamental grasses, and perennial flowering plants are optional but are encouraged.
    - (d) Groundcover may be turf grass or other allowed groundcover listed in Article V. General Provisions, F. Groundcover Requirements.
    - (e) Vegetative materials may be grouped or massed for optimal aesthetic value.
  - (2) Residential Development landscaped entryway(s) may be provided at some, or all, entryways in a development. The main goal shall be to provide a safe, aesthetically pleasing, low-maintenance, and drought-resistant motorist and pedestrian entry into and egress out of residential development.
  - (3) **Sight-Triangle size.** Sight-Triangle distances at the intersection of a public street and a residential development entryway shall be of a size distance that ensures safety of pedestrians, bicyclists, and motorists.
  - (4) Public interior parking lots, if created, shall meet the requirements set forth in ARTICLE VIII - PARKING LOT LANDSCAPING IN COMMERCIAL (C-1), COMMERCIAL (C-2), MULTI-FAMILY-1

(MF-1), MULTI-FAMILY-2 (MF-2), RESIDENTIAL OFFICE (R-O), MOBILE HOME PARK (MHP), AND INDUSTRIAL (I) ZONING DISTRICTS requirements.

- (5) Neighborhood parks shall meet requirements of ARTICLE XI. DEDICATION AND LANDSCAPING OF NEIGHBORHOOD PARKS.

**C. Fences, Walls, and Hedges.** Notwithstanding other provisions of this ordinance, fences, walls or hedges may be located at residential development entryways and/or along property lines. Unless otherwise specifically provided for, fences must be constructed and maintained in accordance with the following regulations:

- (1) Fencing may consist of materials such as masonry, brick, rock, stucco, wrought iron, or wood, or any combination of these materials. Fencing shall be utilized or installed in a manner that shall not cause injury to the general public.
- (2) Barbed wire and other wire fencing is absolutely prohibited in residential developments unless the barbed wire or other wire fencing is utilized by adjoining property owner(s) to contain livestock.
- (3) Residential fencing adjacent to street frontage must meet City Building Setback Requirements.

#### **ARTICLE XI. DEDICATION AND LANDSCAPING OF NEIGHBORHOOD PARKS**

- A. Purpose.** Parks provide health and wellness through recreational opportunities, social engagement, neighborhood community building, nature education; parks increase neighborhood and city property values and contribute to overall quality of life.
- B. Ratios for Dedication.** Developers of residential developments shall dedicate, in perpetuity, to the City of Farmington land area, exclusive of streets, for a park and/or trails within the development. Land shall be dedicated at a ratio of .02 acre (870 sq. ft.) of land for each single-family dwelling unit and .01 acre (435 sq. ft.) of land for each multi-family dwelling unit.
- C. Fee Payment In Lieu of Land Conveyance.** In lieu of land dedication, developer shall contribute to the Farmington City Parks and Trails Development Fund \$600.00 for each single-family unit and \$300.00 for each multi-family unit. The City shall review the designated fees every two (2) years and make adjustment suggestions to the City Council.
- D. Timetable for Land Dedication.** Dedication of land must be made before the city signs the final plat or building permit is issued for the development. Deeded land is dedicated park land and is not subject to any right of reversion or refund.
- E. Timetable for cash dedication.** Intention for cash payment shall be included in the development agreement and paid prior to the City's signature of, and release of, the final plat. For subdivisions that do not require a development agreement, the cash dedication shall be paid before the City releases the signed approval of the subdivision for recording.



- F. Location of Park.** The most suitable location for park may be determined by developer but dedicated park land shall be contiguous and shall be dedicated in perpetuity. Land, when dedicated, shall be shown on preliminary and final plats and on Site Plan and Landscaping Plan.
- G. Small Land Area.** When a proposed park dedication calculation is too small in area to provide an open space of suitable size and character, the Planning Commission may require dedicated land to be located next to open spaces or dedicated park land in adjacent development areas, so the combined land areas create park area of adequate size.
- I. Unacceptable Park Land.** Street front landscape buffers or parking lot landscape buffers and islands; major utility easements over 30 feet wide; storm water detention ponds; irrigation ditches, swales, and storm water channels, land with steep grade, land with immovable trash, junk, and/or pollutants, or any other land deemed unsuitable by the Planning Commission, shall not be dedicated as park land.
- J. Use of Fees.** Cash contributions for parks shall be deposited in the Farmington City Parks and Trails Development Fund and shall only be used for park or trail acquisition, development, or maintenance, as determined by the City based on the City of Farmington Master Trail and Park Plan. The Financial Officer of the City of Farmington shall maintain financial records of fees received and expenditures made.
- K. Park Naming Rights.** Developer shall have naming rights for the park, subject to the approval of the Planning Commission.
- L. Appropriate landscaping materials.** Developer shall make every effort to preserve existing native trees of any size; Specimen Trees; and native shrubs and other vegetation located in the proposed park area. Additional landscaping materials are listed in ARTICLE XIV. SUGGESTED LANDSCAPING MATERIALS – SHRUBS AND TREES, EVERGREEN AND DECIDUOUS. In addition, perennial flowers, perennial ornamental grasses, and bulb-flowers may be planted.
- M. Required Essential Landscaping and Infrastructure.**
- (1) Community green space with bench seating (Minimum of two benches)
  - (2) Bicycle Rack (Minimum of one rack to park four bicycles).
  - (3) Open turf grass area
  - (4) ADA accessible walking trail or path into park area
  - (5) Trash receptacle
  - (6) Vegetation planting requirements are listed below; however, substitutions may be approved by Planning Commission when native trees, shrubs, grasses, and other vegetation are preserved.
    - (a) Five (5) shade trees.
    - (b) Three (3) ornamental trees.
    - (c) Twenty (20) shrubs.
    - (d) Perennial ornamental grass
  - (7) A minimum of one active-use enhancement shall be incorporated into the park, with developer choosing amenities that best suit the specific demographic and recreational needs of future homeowners. Placement and spacing of all elements shall be done in a layout that provides maximum safety during park use and shall meet all safety standards. Choose from this list:
    - (a) Children's playground equipment
    - (b) Tennis court(s)

- (c) Grass area for lawn sports
- (d) Sand volleyball court
- (e) Basketball goal
- (f) Outdoor water features/ spray-grounds
- (g) Hiking and/or biking trail
- (h) Boulder play area or climbing structure
- (i) Community garden(s)
- (j) Frisbee/disk golf area
- (k) Open turf sculpted as a play berm, mound or hill with a maximum three-foot height
- (l) Other play features such as swings, spring toys, sand play, dramatic play, tetherball.
- (m) Shuffleboard
- (n) Bocce court
- (o) Other developer-suggested active-use amenities deemed appropriate for demographic population of the development.

**N. Ideal Park Additions (Optional – Not Required).**

- (a) Lighting
- (b) Picnic table
- (c) Barbeque grill
- (d) Restroom facilities
- (e) Gazebo or other roofed recreational facility
- (f) Display garden
- (g) Drinking fountain

**O. Ownership and Maintenance/Replacement.** Dedicated parks shall be maintained by City of Farmington.

**P. Park Design and Construction Standards.** Developer shall design and construct neighborhood park in compliance with all City design standards for public improvements.

**ARTICLE XII PERFORMANCE BOND, LANDSCAPING INSTALLATION, MAINTENANCE, AND REPLACEMENT OF LANDSCAPING MATERIALS**

Standards have been established for installation of all plant materials within the city. These requirements must be followed in order to receive approval of the site work and final occupancy or approval of the development. The Planning Commission or a representative of the City has the authority to deny the issuance of a final occupancy permit until landscaping is installed according to the requirements of this ordinance and satisfaction of the site inspector.

**A. Performance Bond Requirement.** At the time of presentation of final Landscape Site Plan, developer shall be required to provide the City with a performance bond, certificate of deposit, or letter of credit, to ensure full compliance with landscape installation and the two-year replacement/maintenance requirements.

Should the City have to complete the approved Landscaping Site Plan and/or replace dead landscaping material within two years of planting, developer shall forfeit the performance bond.

The performance bond amount shall be calculated in accordance with the rates set forth below which include purchase of landscaping materials and labor costs that City shall incur to complete the project.

- (a) First-time installation: \$2,000/ 1,000 square feet.
- (b) Replacement costs: \$500/ 1,000 square feet.

- B. Installation.** All landscaping shall be installed in accordance with standards and requirements of this ordinance. Permits for building, paving, utilities or construction shall not be issued until a Landscape Site Plan including all required information is submitted and approved by the Planning Commission. The Landscape Site Plan must be submitted with the Site Plan.
- C. Delays in planting.** When construction has been completed but it would be impractical to plant trees, shrubs, or turf grass or other landscaping material due to weather conditions, upon approval of the City, developer shall be given additional time to complete all required landscaping; further, a temporary occupancy permit may be issued by the building inspector. The developer or builder must make every effort to finish the project within the time frame for completion that both parties have agreed to.
- D. Enforcement.** Final occupancy permits and/or final plats will be held for those who fail to complete landscaping requirements.
- E. Guarantee.** Once approved, the applicant is required to guarantee the plants for 24 months or they must be replaced by developer in Residential developments, and by owner in C-1, C-2, MF-1, MF-2, R-O, MHP, and I (Industrial) zoned developments. Replacement trees or other vegetation shall comply with same size and quality requirements as set forth in this ordinance.

Should the City have to complete the approved Landscaping Site Plan and/or replace dead landscaping material within two years of planting, developer shall forfeit the performance bond.

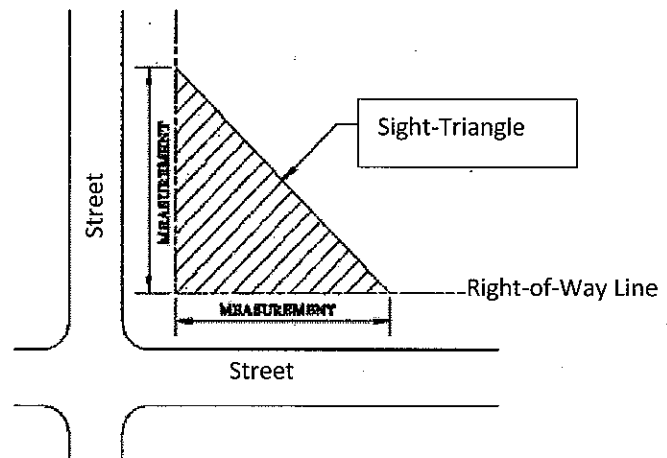
- F. Maintenance of Landscaped Areas by Commercial Property Owners.** Commercial property owner shall maintain landscaping as set forth in this ordinance.
  - (1) Landscaped areas shall be mulched to prevent weed growth and maintain soil moisture.
  - (2) All roadways, curbs and sidewalks shall be edged on a routine schedule in order to prevent encroachment from the adjacent grassed areas.
  - (3) The owner of the property shall be responsible for the provision of adequate water and nutrients to the required plant materials.

- G. Fine for failure to maintain landscaping of property.**

## ARTICLE XIII DEFINITIONS

1. *Berm* - earthen mound designed to provide visual interest, screen undesirable views, and decrease noise.
2. *Buffer, perimeter landscape* - continuous area of land set aside along the perimeter of a lot in which existing and planted landscaping is used to provide a visual and sound screening transition that reduces the impacts of one type of land use upon another, or street right-of-way from the developed portion of a lot or parcel of land. As a method of reducing the impact of noise and unsightly visual intrusions, an appropriate combination of more harmonious elements, such as plants, trees, shrubs, berms, fences, and walls may be utilized.
3. *Canopy (shade) tree* - a species of tree that will grow to a mature height of at least 40 feet with a spread of at least 30 feet.
4. *Critical root zone* - minimum ground area under the canopy (*leaf spread*) of a tree that is considered essential to support the viability of a tree and which should not be compacted during construction.
5. *DBH*. (Diameter-at-breast height) In the US, tree diameter is usually measured at 4.5 ft. (137 cm) above ground level. For multi-trunk trees, diameter is measured at the narrowest point beneath the point of attachment of the multiple trunks. DBH can be measured with a specially calibrated tape measure called a diameter tape (d-tape) available from arborist or forestry supply dealers.
6. *Damaged Tree* - a tree with damage to any of its parts including, roots, root buttress, trunk, or branches.
7. *Deciduous* - any tree or shrub that drops leaves or needles at the end of a growing season.
8. *Evergreen* - a shrub or tree with foliage that remains green year-round. This term does not imply only spruce, pine, arborvitae, fir, and cedar trees or shrubs such as holly, but rather any variety of shrub or tree that does not drop its leaves seasonally.
9. *Greenspace* - any area retained as permeable unpaved ground and dedicated on the site plan to supporting vegetation.
10. *Ground cover* - living landscape materials or low-growing plants, other than turf grass, installed in a manner that provides continuous cover of the ground surface, and which normally reaches an average maximum height of not more than 24 inches at maturity.
11. *Hazardous Tree* - a tree where the tree is at risk for failure because it is dead or structurally defective, and where that failure could result in personal injury or property damage.
12. *Invasives* - plants species that are detrimental to native plants, native wildlife, ecosystems, or human health, safety and welfare.
13. *Irrigation system* - a permanent, artificial watering system designed to transport and distribute water to plants.
14. *Landscape architect* - as defined by the American Society of Landscape Architects, whose primary business is that of designing, overseeing, installing and maintaining landscapes.

15. *Landscape Materials* – Living plants such as trees, shrubs, groundcover, perennial and annual flowers, perennial ornamental grasses, and lawn (turf) grass; mulch which is non-living material.
16. *Landscaper* – Landscape designer, nurseryman, horticulturist or other landscape professional whose primary business is that of installing and maintaining landscapes.
17. *Mulch* - non-living organic material customarily used in landscaping design to retard erosion and retain moisture, insulate soil against temperature extremes, suppress weeds, prevent soil compaction, and provide visual interest.
18. *Native Plant or Tree*- a plant or tree that lives or grows naturally in a particular region without direct or indirect human intervention (USDA and US National Arboretum definition: remaining genetically unaltered by humans.)
19. *Open Space* - all areas of natural plant communities or area replanted with vegetation after construction, such as re-vegetated natural areas; tree, shrub, hedge, or ground cover planting areas; and lawns.
20. *Ornamental Tree* - a deciduous tree planted primarily for its ornamental value, high visual impact, flowers or buds, or for screening purposes; tends to be smaller at maturity than a canopy (shade) tree.
21. *Park* – dedicated land often located in residential developments, but may also be included within other zones, whose main purpose is recreational and/or ecological preservation.
22. *Parking Space* - that portion of an accommodation area set aside for the parking of a vehicle.
23. *Perimeter Buffer* - green space buffer surrounding entire length of sides and rear of a property.
24. *Preserve areas* - vegetative areas required to be preserved by law.
25. *Screen* - a method of reducing the impact of noise and unsightly visual intrusions with less offensive or more harmonious elements, such as plants, trees, shrubs, berms, fences, walls, or any appropriate combination thereof.
26. *Shade Tree* - usually a deciduous tree—rarely an evergreen—planted primarily for its high crown of foliage or overhead canopy.
27. *Shrub* - a self-supporting, deciduous or evergreen, woody perennial plant of low to medium height characterized by multiple stems and branches continuous from the base, usually not more than six feet in height at maturity.
28. *Sight-Triangle* - the area at a street or driveway intersection that must be kept clear of sight obstructions. The triangle is formed by measuring from the point of intersection of the street front and entryway.
29. *Specimen Tree* - a tree in good condition that qualifies for special consideration for



preservation due to size, species, or meets other qualifications such as:

DBH of twenty-four inches (24") or greater for large hardwoods such as oaks, hickories, maples, etc,

DBH of four inches (4") or greater for small ornamental trees such as dogwoods, redbuds, etc.

(Tree with multiple trunks below 4 1/2' will be measured at its narrowest point beneath the split).

Very large size for the species; Being a rare variety; Exceptional aesthetic quality.

Specifically used by a builder, developer, or design professional as a focal point in a landscape project.

30. *Street Frontage Buffer* means the length of the property abutting one side of a main street or highway thoroughfare.
31. *Tree* - any self-supporting woody perennial plant which has a DBH\* of two inches or more and which normally attains an overall height of at least 15 feet at maturity, usually with one main stem or trunk and many branches. It may appear to have several stems or trunks as in several varieties of oak.

\*In the US, tree diameter is usually measured at 4.5 ft (137 cm) above ground level. Measurement at this height is referred to as diameter at breast height or DBH. DBH can be measured with a specially calibrated tape measure called a diameter tape (d-tape) available from arborist or forestry supply dealers.

32. *Xeriscape* - landscape methods which conserve water through the use of drought-tolerant plant and planting techniques.

XIV SUGGESTED LANDSCAPING MATERIALS – SHRUBS AND TREES, EVERGREEN AND DECIDUOUS & INSECT-PRONE OR INVASIVE TREES, SHRUBS, PLANTS; & BANNED LANDSCAPE MATERIALS

PLANT:	BOTANICAL NAME:	SIZE:	FLOWER:	LEAF:	TEXTURE:	FORM:
<b>Evergreen Shrubs:</b>						
Abelia	Abelia X grandiflora 'Edward Goucher'	5'H X 6'W	Pink	GR/PP		Rounded
Aucuba	Aucuba japonica	6'H 5'W		GR/VW	Bold	Rounded
Azalea	Azalea japonica 'Mother's Day'	4'H X 5'W	Rose			Rounded
Greenmound Boxwood	Buxus sempervirens 'Green Mound'	3'H X 3'W			Fine	Rounded
Wintergem Boxwood	Buxus microphylla 'Wintergem'	4'H X 5'W			Fine	Rounded
Wintergreen Boxwood	Buxus sinica 'Insularis'	4'H X 5'W			Fine	Rounded
Cherry Laurel	Prunus laurocerasus 'Otto Luyken'	4'H X 7'W	White			Rounded
Dwarf Burford Holly	Ilex cornuta 'Dwarf Burford'	6'H X 6'W			Bold	Rounded
Helleri Holly	Ilex crenata 'Helleri'	3'H X 4'W			Fine	Rounded
Nellie Stevens Holly	Ilex X 'Nellie R. Stevens'	15'H X 10'W	Red Berry			Rounded
Sky Pencil Holly	Ilex crenata 'Sky Pencil'	10'H X 3'W			Fine	Upright
Bordeaux Yaupon Holly	Ilex vomitoria 'Condeaux'	2'H X 5'W			Fine	Rounded
Dwarf Yaupon Holly	Ilex vomitoria 'Nana'	8'H X 5'W			Fine	Rounded
Winterberry Holly	Ilex verticillata 'Red Sprite'	5'H X 5'W	Red Berry			
Creeping Juniper	Juniperus horizontalis 'Blue Rug'	1'H X 6'W		BL	Fine	Flat
Creeping Juniper	'Plumosa compacta'	1'H X 6'W		PP	Fine	
Creeping Juniper	'Blue Star'	1'H X 6'W		BL	Fine	Flat
Creeping Juniper	'Blue Chip'	1'H X 6'W		BL	Fine	Flat
Gold Pfitzer Juniper	Juniperus chinensis 'Pfitzeriana aurea'	4'H X 6'W		GR/VW	Fine	
Loropetalum	Loropetalum chinense 'Purple Diamond'	4'H X 5'W	Fuschia	PP		Rounded
Mugo Pine	Pinus mugo 'Compacta'	3'H X 4'W			Fine	
Dwarf Nandina	Nandina domestica 'Firepower'	2'H X 3'W		GR/RD	Fine	Rounded
Nandina (Compact)	Nandina domestica 'Compacta'	5'H X 3'W	Red Berry	GR/PP	Fine	Rounded
Dwarf Alberta Spruce	Picea glauca 'Conica'	8'H X 5'W			Fine	Pyramidal
Leatherleaf Viburnum	Viburnum rhytidophyllum	10'H X 10'W	White	GR/PP	Bold	Rounded
Red Yucca	Hesperaloe parviflora	6'H X 4'W	Salmon		Fine	Spikey
Varigated Yucca	Yucca filamentosa 'Color Guard'	4'H X 4'W	White	GR/VW	Fine	Spikey

PLANT:	BOTANICAL NAME:	SIZE:	FLOWER:	LEAF:	TEXTURE:	FORM:
<b>Deciduous Shrubs:</b>						
Dwarf Burning Bush	Euonymus alatus compactus	8'H X 10'W		GR/RD	Medium	Rounded
Butterfly Bush	Buddleia davidii nanhoensis 'Monum'	5'H X 5'W	Purple		Medium	
Cranberry Cotoneaster	Cotoneaster apiculatus	3'H X 7'W	White	GR/RD	Fine	Flat
American Cranberry Bush	Viburnum trilobum 'Bailey's Compact'	6'H X 6'W	White	GR/RD	Fine	
Dwarf Crapemyrtle	Lagerstroemia indica 'Moned'	4'H X 4'W	Red		Medium	
Dynamite Crapemyrtle	Lagerstroemia indica 'Whit II'	20'H X 15'W	Red		Medium	Upright
Weeping Crapemyrtle	Lagerstroemia indica X faueri 'Acoma'	7'H X 7'W	White			
Red-Dosier Dogwood	Cornus sericea 'Kelseyi'	2.5'H X 2.5'W	Red Stem	GR/RD	Medium	Rounded
Black Lace Elderberry	Sambucus nigra 'Eva'	8'H X 8'W	Pink	PP	Fine	
Dwarf Forsythia	Forsythia 'Arnold Dwarf'	3'H X 7'W	Yellow		Medium	Rounded
Dwarf Oakleaf Hydrangea	Hydrangea quercifolia 'Sikes Dwarf'	4'H X 4'W	White	GR/PP	Bold	Rounded
Dwarf Lilac	Syringa meyeri 'Palibin'	5'H X 7'W	Purple		Medium	Upright
Japanese Maple	Acer palmatum dissectum 'Red Dragon'	5'H X 5'W		RD	Fine	Upright
Ninebark	Physocarpus opulifolius 'Monlo'	10'H X 10'W	Pink	GR/PP	Bold	
Flowering Quince	Chaenomeles japonica	4'H X 5'W	Salmon		Medium	
Carpet Rose	Rosa X 'Noare'	2.5'H X 2.5'W	Red		Medium	Flat
Shrub Rose	Rosa X 'Radrazz'	4'H X 4'W	Red		Medium	Rounded
Rose of Sharon	Hibiscus syriacus	8'H X 6'W	Purple	YW	Bold	Upright
Anthony Waterer Spirea	Spiraea X bumalda 'Anthony Waterer'	5'H X 5'W	Pink		Medium	Rounded
Vanhouttes Spirea	Spiraea X vanhouttei	8'H X 12'W	White		Fine	Rounded
Doublefile Viburnum	Viburnum plicatum tomen. 'Mariesii'	12'H X 15'W	White	GR/PP	Bold	Upright
Winter Jasmine	Jasminum nudiflorum	4'H X 7'W	Yellow		Fine	Weeping
<b>Perennial Grasses:</b>						
Blue Dune Lyme Grass	Elymus arenarius 'Blue Dune'	3'H	Blue	BL		Spikey
Little Bunny Grass	Pennisetum alopecuroides 'Little Bunny'	1'H X 1'W	White		Fine	Upright
Mexican Feather Grass	Nassella tenuissima	2'H X 2.5'W	Yellow	YW	Fine	Soft
Feather Reed Grass	Calamagrostis X acutiflora 'Karl Foerster'	6'H X 2'W	Yellow			Spikey
Dwarf Fountain Grass	Pennisetum alopecuroides 'Hameln'	3'H X 2'W	White		Fine	Upright



PLANT:	BOTANICAL NAME:	SIZE:	FLOWER:	LEAF:	TEXTURE:	FORM:
Golden Liriope	Liriope spicata 'Silver Dragon'	1'H X 1.5'W	Purple	GR/VW		Weeping
Dwarf Maiden Grass	Miscanthus sinensis 'Little Kitten'	3'H X 1.5'W	White			Upright
Maiden Grass	Miscanthus sinensis 'Gracillimus'	8'H X 5'W	White			Fine Upright
Dwf. Var. Maiden Grass	Miscanthus sinensis 'Dixieland'	3'H X 4'W	White			Fine Upright
Mondo Grass	Ophiopogon japonicus 'Nannus'	.5'H	Black			Short
Monkey Grass	Liriope muscari 'Big Blue'	"15""H X 15""W"	Purple			Weeping
Muhley Grass	Muhlenbergia lindheimeri 'Lenca'	2'H X 4'W	Pink			Spikey
Dwarf Pampas Grass	Cortaderia selloana 'Pumila'	10'H X 6'W	White			Spikey
<b>Perennials:</b>						
Black Knight Cannas	Canna X generalis 'Black Knight'	6'H X 2'W	Red	GR/PP	Bold	Upright
Purple Coneflower	Echinacea purpurea 'Wagnus'	3'H X 2'W	Salmon			Upright
Moonbeam Coreopsis	Coreopsis verticillata 'Moonbeam'	1.5'H X 2'W	Yellow			Fine Loose
Daffodil	Narcissus X 'Ice Follies'	"18"" X 24""W"	White			
Shasta Daisy	Chrysanthemum X superbum	"2'H X 12""W"	White			
Gaura	Gaura lindheimeri 'Geyer Pink'	3'H X 3'W	Salmon			Fine Loose
Hardy Hibiscus	Hibiscus X 'Fireball'	5'H X 3'W	Red			
Iris	Iris spp.	3'H X 2'W	Purple			Fine Upright
Lamb's Ear	Stachy byzantina 'Silver Carpet'	"12""H X 3'W"		SV	Bold	Spreading
Stella Lily	Hemerocallis X 'Stella de Oro'	2'H X 2'W	Orange			
Penstemon	Penstemon 'Black Towers'	"30""H X 30""W"	Salmon	GR/PP		Upright
Husker Red Penstemon	Penstemon digitalis 'Husker Red'	3'H X 1'W	White	PP		Upright
Creeping Phlox	Phlox subulata 'Emerald Blue'	"6""H X 3'W"	Blue			Fine Flat
Garden Phlox	Phlox paniculata 'Red Riding Hood'	3'H X 2'W	Red			Upright
Joe Pye Weed	Eupatorium spp.	"40""H X 3'W"	Blue	BL		Bold Spikey
Dwarf Russian Sage	Perovskia atriplicifolia 'Little Spire'	2'H X 2'W	Purple	SV		Loose
Autumn Joy Sedum	Sedum X 'Autumn Joy'	"24""H X 24""W"	Salmon	GR/RD	Bold	Rounded
Speedwell	Veronica spicata 'Blue Carpet'	"8""H X 12""W"	Purple			
Black Eyed Susan	Rudbeckia fulgida var. sullivantii 'Goldsturm'	"2'H X 18""W"	Gold			Upright

PLANT:	BOTANICAL NAME:	SIZE:	FLOWER:	LEAF:	TEXTURE:	FORM:
Evergreen Trees:						
Atlas Blue Cedar	Cedrus atlantica	40'H X 25'W		BL	Fine	Pyramidal
Foster Holly	Ilex X attenuata 'Fosteri #2'	25'H X 12'W	Red Berry		Fine	Pyramidal
American Holly	Ilex opaca		Red Berry			Pyramidal
Moonglow Juniper	Juniperus scopulorum 'Moonglow'	20'H X 8'W			Fine	Pyramidal
Skyrocket Juniper	Juniperus scopulorum 'Skyrocket'	15'H X 2'W			Fine	Pyramidal
Spartan Juniper	Juniperus chinensis 'Spartan'	15'H X 5'W			Fine	Pyramidal
Southern Magnolia	Magnolia grandiflora 'Bracken's Brown Beauty'	50'H X 30'W	White	BR	Bold	Pyramidal
Austrian Pine	Pinus nigra	60'H X 25'W			Fine	Pyramidal
Japanese Black Pine	Pinus thunbergii	80'H X 40'W			Fine	Pyramidal
Loblolly Pine	Pinus taeda	90'H X 50'W			Fine	
White Pine	Pinus strobus	65'H X 25'W			Fine	Pyramidal
Colorado Blue Spruce	Picea pungens	65'H X 25'W		BL	Fine	Pyramidal
Columnar Norway Spruce	Picea abies 'Cupressina'	30'H X 6'W			Fine	Pyramidal
<b>Deciduous Trees:</b>						
River Birch	Betula nigra 'Cully'	20'H X 20'W				
Red Buckeye	Aesculus pavia	15'H X 15'W	Red			
Chaste Tree	Vitex agnus-castus	25'H X 25'W	Purple		Fine	
Kwanzan Cherry	Prunus serrulata 'Kwanzan'	25'H X 20'W	Pink	GR/RD		Rounded
Yoshino Cherry	Prunus X yedoensis 'Akebono'	25'H X 25'W	Pink	GR/RD		Rounded
Prairiefire Crabapple	Malus X 'Prairifire'	20'H X 20'W	Rose	PP		Rounded
Dwarf Bald Cypress	Taxodium distichum 'Skyward'	20'H X 6'W			Fine	Pyramidal
Cornelian Cherry	Cornus mas 'Golden Glory'	20'H X 20'W	Yellow	GR/RD		Rounded
Flowering Dogwood	Cornus florida 'Cloud Nine'	25'H X 25'W	White	GR/RD		Rounded
Red Flowering Dogwood	Cornus florida 'Cherokee Chief'	25'H X 25'W	Red	GR/RD		Rounded
Kousa Dogwood	Cornus kousa	20'H X 20'W	White	GR/RD		
Allie Elm	Ulmus parvifolia 'Elmer II'	50'H X 30'W				Rounded
Homestead Elm	Ulmus 'Homestead'	60'H X 35'W				Rounded
Lacebark Elm	Ulmus parvifolia	50'H X 30'W				Rounded
Chinese Fringe Tree	Chionanthus retusus	20'H X 25'W	White	GR/RD		

<b>PLANT:</b>	<b>BOTANICAL NAME:</b>	<b>SIZE:</b>	<b>FLOWER:</b>	<b>LEAF:</b>	<b>TEXTURE:</b>	<b>FORM:</b>
<b>Deciduous Trees: (cont.)</b>						
Ginkgo (male only)	Ginkgo biloba	50'H X 30'W		GR/YW	Fine	Pyramidal
Thornless Honeylocust	Gleditsia triacanthos inermis 'Suncole'	35'H X 30'W	White		Fine	
Hornbeam	Carpinus betulus 'Fastigiata'	45'H X 35'W		GR/YW		
Horse Chestnut	Aesculus X arnoldiana 'Autumn Splendor'	25'H X 25'W	Red	GR/RD		
Littleleaf Linden	Tilia cordata 'Sashazum'	50'H X 40'W				
Saucer Magnolia	Magnolia X 'Ann'	15'H X 12'W	Purple		Bold	Rounded
Norway Maple	Acer platanoides 'Crimson King'	35'H X 25'W		GR/RD		Rounded
Red Maple	Acer rubrum 'October Glory'	50'H X 40'W		GR/RD		Rounded
Sugar Maple	Acer saccharum 'Green Mountain'	40'H X 25'W		GR/RD		Rounded
Amur Maple	Acer ginnala	20'H X 15'W		GR/RD		Rounded
Bloodgood Jap. Maple	Acer palmatum 'Bloodgood'	20'H X 15'W		RD		Rounded
Burr Oak	Quercus macrocarpa	80'H X 80'W				
Scarlet Oak	Quercus coccinea	75'H X 50'W		GR/RD		
Sawtooth Oak	Quercus acutissima	45'H X 40'W			Bold	
White Oak	Quercus alba	100'H X 60'W				
Red Oak	Quercus rubra	80'H X 40'W				
Willow Oak	Quercus phellos	60'H X 40'W			Fine	
Shumard Oak	Quercus shumardii	60'H X 50'W		GR/RD	Bold	
Water Oak	Quercus nigra	80'H X 60'W		GR/RD		
Cleveland Select Pear	Pyrus calleryana 'Cleveland Select'	35'H X 15'W	White	GR/RD		Pyramidal
Pistachio	Pistacia chinensis	35'H X 35'W		GR/RD		
Purpleleaf Plum	Prunus cerasifera 'Thundercloud'	20'H X 20'W	Pink	PP		Rounded
Golden Raintree	Koelreuteria paniculata	30'H X 35'W	Yellow			
Eastern Redbud	Cercis canadensis	30'H X 35'W	Purple		Bold	
Pansy Redbud	Cercis canadensis 'Forest Pansy'	20'H X 25'W	Purple	PP	Bold	
Serviceberry	Amelanchier X grandiflora 'Autumn Brilliance'	25'H X 25'W	White	GR/RD		
Smoke Tree	Cotinus coggyria 'Royal Purple'	15'H X 12'W	Pink	PP		Rounded
Japanese Snowbell	Styrax japonicus	30'H X 30'W	White	GR/RD		
Seedless Sweetgum	Liquidambar styraciflua 'Ward'	50'H X 30'W		GR/RD		Pyramidal
Tupelo	Nyssa Sylvatica	50'H X 30'W		GR/RD		

PLANT:	BOTANICAL NAME:	SIZE:	FLOWER:	LEAF:	TEXTURE:	FORM:
<b>Banned Trees:</b>						
Bradford Pear	Pyrus calleryana 'Bradford'	(Easily storm damaged. Use Cleveland Select instead)				
Ginkgo (female only)	Ginkgo biloba	(Odorous Fruit-use male)				
Mimosa	Albizia julibrissin	(Invasive)				
Pin Oak	Quercus palustris	(Weeping Limbs Pose Hazard-use other Oak species)				
Paper Birch	Betula papyrifera	(Not Hardy-use River Birch)				
Silver Maple	Acer saccharinum	(Fast growing Easily storm damaged. Use Red Maple)				
Sweetgum	Liquidambar styraciflua	(Fruit Poses hazard-use fruitless cultivar)				
Tree of Heaven	Ailanthus altissima	(Invasive)				
Willow species	Salix spp.	(Fast growing Easily storm damaged.				
Black Locust	Robinia pseudoacacia	(Thorns-use improved cultivar or Honey Locust)				
<b>Banned Shrubs:</b>						
Amur Privet	Ligustrum amurense	(Invasive-use Boxwood or Japanese Holly)				
Autumn Olive	Eleagnus umbellata	(Invasive)				
Chinaberry	Melia azedarach	(Invasive/Poisonous)				
Chinese Holly	Ilex cornuta	(Thorns-use thornless cultivar)				
Photinia	Photina serratifolia	(Susceptible to Fungus)				
Chinese Privet	Ligustrum sinense	(Invasive)				
Chinese Tallow Tree	Sapium sebiferum	(Invasive/Poisonous)				
Common Privet	Ligustrum vulgare	(Invasive-use Boxwood or Japanese Holly)				
Glossy Privet	Ligustrum lucidum	(Invasive-use Boxwood or Japanese Holly)				
<b>Other Banned Plants:</b>						
Moonflower	Datura innoxia	(Poisonous)				
Multiflora Rose	Rosa multiflora	(Invasive/Thorns-use Shrub or Carpet Rose)				
Castorbean	Ricinus communis	(Poisonous)				
Amur Honeysuckle	Lonicera maackii	(Invasive)				
Japanese Honeysuckle	Lonicera japonica	(Invasive-use sterile variety or Purple Honeysuckle)				
Bamboo	Bambuseae	(Invasive)				
Lespedeza	Imperatica cylindrical	(Invasive)				
English Ivy	Hedera helix	(Invasive-use Vinca)				
Morning Glory	Ipomoea	(Invasive)				
Scottish Thistle	Onopordum acanthium	(Invasive/Thorns)				

Final 5/27/2013

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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: State Aid City Street Program Resolution  
Date: June 5, 2013

**Recommendation**

City staff recommends approval of this resolution. I got a call from AHTD on Wednesday at 3:30 p.m. asking that we consider this resolution before the next state street committee meeting which is Thursday June 13<sup>th</sup>.

**Background**

We have pursued funding through the State Aid Street System. We have asked for intersection improvements and overlay on Rheas Mill and Double Springs.

**Discussion**

The AHTD has asked that we pass this resolution showing the City Council support. In particular in the case that the design is completed and the project does not get built, the city would be responsible to reimburse the state for the design costs.

**Budget Impact**

None at this time.

**STATE AID CITY STREET PROGRAM PROJECT RESOLUTION**

**RESOLUTION NO. 2013-05**

**A RESOLUTION EXPRESSING THE WILLINGNESS OF  
THE CITY OF FARMINGTON  
TO UTILIZE STATE AID STREET MONIES  
FOR THE FOLLOWING CITY PROJECT:**

**Double Springs Road Improvements**

**WHEREAS**, the City of Farmington understands that State Aid Street Program funds may be available for certain city projects at the following participating ratios:

	<u>Work Phase</u>	<u>State Aid</u>	<u>City %</u>
Reconstruction/Resurfacing Construction of City Projects	Preliminary Engineering	100%	-0-
	Right-of-Way	-0-	100%
	Utilities	-0-	100%
	Construction	100%	-0-
	Construction Engineering	100%	-0-
City projects programmed but not let to contract	All Phases	-0-	100%

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

**SECTION I:** The City will participate in accordance with its designated responsibilities in this project.

**SECTION II:** The Mayor, or his designee, is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this city project.

**SECTION III:** The City understands that if the project does not reach construction phase, the City may be responsible for repaying the actual cost of preliminary engineering incurred by the Arkansas State Highway and Transportation Department.

**SECTION IV:** The City pledges its full support and hereby authorizes the Arkansas State Highway and Transportation Department to initiate action to implement this project subject to the State Aid Street Committee's approval of State Aid Street funding.

**THIS RESOLUTION** adopted this 10<sup>th</sup> day of June, 2013.

\_\_\_\_\_  
Ernie Penn, Mayor

**ATTEST:** \_\_\_\_\_  
(SEAL) Kelly Penn, City Clerk



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

## City Business Manager Report June 2013 City Council Meeting

- PLEASE!!! Encourage your constituents to sign-up for Code Red. With all the severe weather we have experienced it is very important for Farmington residents to take advantage of this FREE service.
- Don't forget to tell people about our "No Solicitation" stickers that are available to Farmington residents.
- Please "like" our new Facebook page. You can search for "City of Farmington, Arkansas." We will try to add information weekly.
- Permits have been issued for a total renovation of Savannah Park. The company that is doing the remodel has procured a federal grant for the improvements.
- Notice the BEAUTIFUL banners that have been installed! We have ordered several more to complete the project. A big thank you to Cox Communications for their assistance with this endeavor.
- I attended a transportation conference in May. I had an opportunity to speak with the engineer that is doing the study for HWY 170. He indicated that the study was nearly complete.
- I will be attending the next committee meeting for State Aid for Cities. This is a committee made up of Mayor's who decide on how to spend the state aid money. We have asked for them to fund some projects for us.
- Several of us will be attending a free training to learn how to utilize the aerial mapping that regional planning does each year. We feel this could be very beneficial to the city.

*"Alone we can do so little; together we can do so much."*

*~ Helen Keller*





**City of Farmington**  
**372 W. Main st.**  
**P.O. Box 150**  
**Farmington, AR 72730**

**Fire Department**

**Phone 479-267-3338**  
**Fax 479-267-3302**

May 2013 monthly Mayor and City Council report

The month of May has been a good month for the Fire department and for the city. This month was pretty normal for calls, we up a little with 63 calls for service and well over half of them were medical calls as usual. The fire department has to preform fire hydrant maintenance on our fire hydrants and they keep adding them all the time and that is a good thing for the fire department and the city. We began these in March and finished them in May, and that is a big relief getting that behind us for the year. The next project for us is to test all of our fire hose and that is harder than doing the fire hydrants because it is a lot more labor intensive.

We thought that we could get some severe weather at the end of the month but we dodged a bullet and missed it both times, we try to be prepared but you can only prepare so much and then react to what happens. It still amazes me that there is still people out there that do not know about Code Red and wonders why we don't have tornado sirens, so I keep explaining about it, we do need to keep on getting it out there about it and how much better it is than sirens.

I believe that the city of Farmington is starting to grow again with Gabriela's new building and McDonalds revamping their building, the New Farmington High school building soon to start, I think we are on our way. There are new houses going up in Twin Falls subdivision and Trotters Crossing which is another indicator that things are getting better. I have a friend that has been trying to find a house in Farmington and there are very little lots or houses for him to choose from and he only wants Farmington, so I think that speaks volumes about our town. I think things are getting exciting around here and that we need to prepare for some outstanding growth in our area.

Respectfully submitted,

Mark Cunningham  
Fire chief

**Journal from 5/1/2013 at 07:00 to 6/1/2013 at 07:00.**

00:00 \*\*\*\*\* Tuesday, May 07, 2013 \*\*\*\*\*  
 19:00 Weekly Meeting / Training:  
 19:00 Performed End of School Year School Inspections of all Farmington Schools. (01  
 19:00 Administrator)  
 00:00 \*\*\*\*\* Tuesday, May 14, 2013 \*\*\*\*\*  
 19:00 Weekly Meeting / Training:  
 19:00 Performed Apparatus Checks. (01 Administrator)  
 00:00 \*\*\*\*\* Tuesday, May 21, 2013 \*\*\*\*\*  
 19:00 Weekly Meeting / Training:  
 19:00 SOG training on FFD Operational Guidelines. (01 Administrator)  
 00:00 \*\*\*\*\* Tuesday, May 28, 2013 \*\*\*\*\*  
 19:00 Weekly Meeting / Training:  
 19:00 Tested all 5 inch hose on E-2 .  
 19:00 Participated in a Surprise Party for Capt. T. Rieff Birthday. (01 Administrator)

**Situation Type Summary**

MAY 2013 FFD CALL VOLUME

Prepared 6/1/2013

Page 1

Situation Type	Dollar Loss	# of Incid's	F.S. Injury	Civ. Injury	F.S. Death	Civ. Death
111 Building fire		1	0	0	0	0
43 Grass fire		1	0	0	0	0
311 Medical assist, assist EMS crew		40	0	0	0	0
322 Vehicle accident with injuries		3	0	0	0	0
324 Motor vehicle accident with no injuries		2	0	0	0	0
400 Hazardous condition, other		1	0	0	0	0
412 Gas leak (natural gas or LPG)		2	0	0	0	0
444 Power line down		1	0	0	0	0
500 Service Call, other		2	0	0	0	0
561 Unauthorized burning		1	0	0	0	0
611 Dispatched & canceled en route		3	0	0	0	0
733 Smoke detector activation due to malfunc		2	0	0	0	0
735 Alarm system sounded due to malfunction		2	0	0	0	0
743 Smoke detector activation, no fire - uni		1	0	0	0	0
744 Detector activation, no fire - unintenti		1	0	0	0	0
<b>Total for all incidents</b>		<b>63</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

# Farmington Police Dept.

Offenses for Month 5/2012 and 5/2013

6/5/2013 12:16:05 PM

	<u>2012</u>	<u>2013</u>
<b>AGGRAVATED ASSAULT</b>		
	0	1
<b>ASSAULT - 3RD DEGREE / CREATES APPREHENSION OF IMMINENT INJURY</b>		
	2	0
<b>ASSAULT ON FAMILY OR HOUSEHOLD MEMBER - 3RD DEGREE / APPREHENSION OF IMMINE</b>		
	2	0
<b>BATTERY - 3RD DEGREE / PURPOSE OF CAUSING INJURY, CAUSES INJURY</b>		
	1	0
<b>BURGLARY, RESIDENTIAL</b>		
	3	0
<b>CRIMINAL MISCHIEF - 1ST DEGREE / PROPERTY OF ANOTHER W/VALUE OF \$1,000 OR LESS</b>		
	1	0
<b>CRIMINAL MISCHIEF - 1ST DEGREE / PROPERTY OF ANOTHER W/VALUE OVER \$1000 BUT \$5,000 OR LESS</b>		
	1	0
<b>CRIMINAL MISCHIEF - 1ST DEGREE / PROPERTY OF ANOTHER W/VALUE OVER \$5,000 BUT &lt; \$2500</b>		
	0	1
<b>CRIMINAL MISCHIEF - 2ND DEGREE / RECKLESSLY DESTROYS</b>		
	1	3
<b>CRIMINAL TRESPASS IN OR ON A VEHICLE OR STRUCTURE / PREMISES</b>		
	2	0
<b>DOMESTIC BATTERING - 2ND DEGREE / PHYSICAL INJURY</b>		
	0	2
<b>DOMESTIC BATTERING - 3RD DEGREE / PURPOSE OF CAUSING INJURY, CAUSES INJURY</b>		
	2	0
<b>Drivers License Required</b>		
	1	0
<b>DWI (UNLAWFUL ACT)</b>		
	1	0
<b>Excess Speed</b>		
	1	0
<b>FAILURE TO APPEAR</b>		
	8	8
<b>FAILURE TO PAY FINES &amp; COSTS</b>		
	7	4
<b>FORGERY</b>		
	1	2
<b>FRAUD - POSSESS CONTROLLED SUBSTANCE BY FRAUD, FORGERY, THEFT</b>		
	2	0
<b>FRAUD - FINANCIAL IDENTITY</b>		

	<u>2012</u>	<u>2013</u>
	1	0
<b>HARASSING COMMUNICATIONS / TELEPHONE, TELEGRAPH, MAIL, OR ANY WRITTEN FORM</b>		
	1	0
<b>Leaving Scene of Accident/Property Damage</b>		
	1	0
<b>Left of Center</b>		
	1	0
<b>RECKLESS DRIVING</b>		
	1	0
<b>REFUSAL TO SUBMIT</b>		
	1	0
<b>TERRORISTIC THREATENING/2nd Degree</b>		
	0	3
<b>THEFT \$1,000 OR LESS - ALL OTHERS</b>		
	3	0
<b>THEFT \$1,000 OR LESS - FROM BUILDING</b>		
	3	2
<b>THEFT \$5,000 OR LESS BUT GREATER THAN \$1000 - FROM BUILDING</b>		
	1	0
<b>THEFT OF A FIREARM VALUED AT LESS THAN \$2,500</b>		
	0	1
<b>THEFT OF PROPERTY - LOST, MISLAID, DELIVERED BY MISTAKE</b>		
	0	1
<b>THEFT OF PROPERTY / ALL OTHER</b>		
	1	0
<b>THEFT OF VEHICLE VALUED AT \$5,000 OR LESS BUT GREATER THAN \$1,000</b>		
	0	1
<b>VIOLATION OF A PROTECTION ORDER</b>		
	0	1
<b>Totals:</b>	<b>50</b>	<b>30</b>

# Farmington Police Dept.

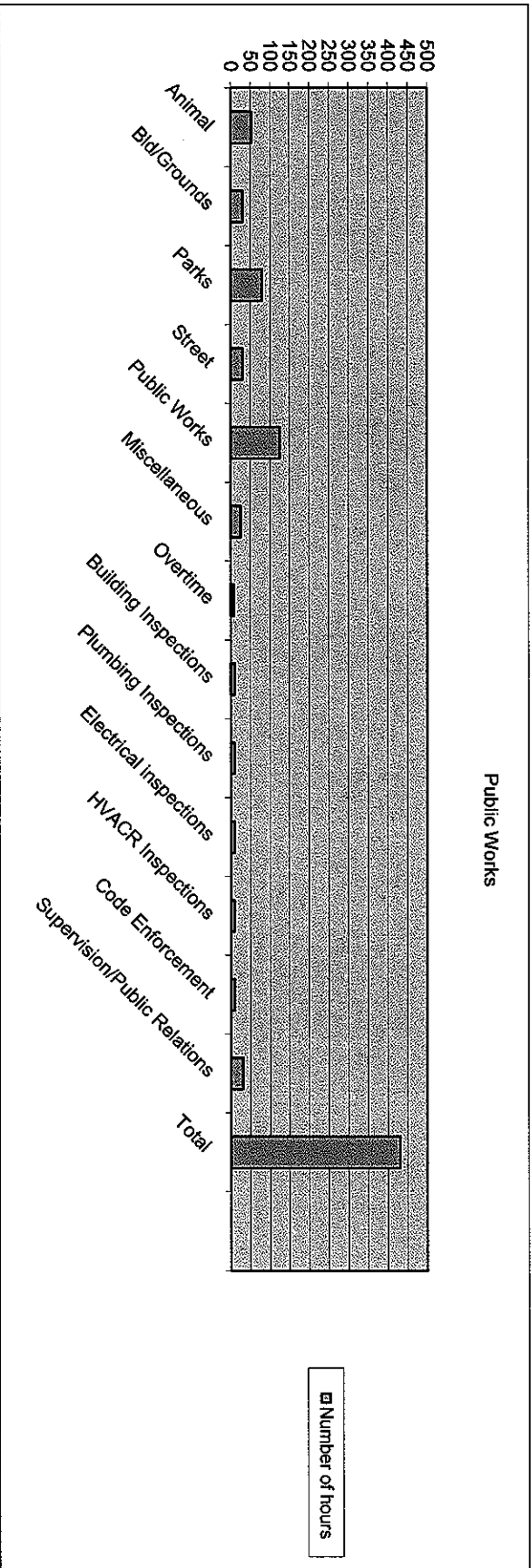
Tickets Issued by Officer and Month for 2013

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Officer	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Belew, Justin	38	41	46	23	0	0	0	0	0	0	0	0	148
Bertorello, James	65	28	50	45	54	0	0	0	0	0	0	0	242
Catron, Joshua	0	0	1	0	0	0	0	0	0	0	0	0	1
Coker, Ira	28	27	27	20	15	0	0	0	0	0	0	0	117
Hubbard, Brian	0	0	0	0	21	0	0	0	0	0	0	0	21
Kimball, Geoffrey	74	89	63	53	58	0	0	0	0	0	0	0	337
Parrish, Chad	0	0	2	0	1	0	0	0	0	0	0	0	3
Redfern, William	0	0	7	0	1	0	0	0	0	0	0	0	8
Thompson, Michael	25	6	10	1	24	0	0	0	0	0	0	0	66
Wilbanks, Johnie	0	5	11	4	58	0	0	0	0	0	0	0	78
<b>Totals:</b>	<b>230</b>	<b>196</b>	<b>217</b>	<b>146</b>	<b>232</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1021</b>

# Public Works Monthly Report For May 2013 By Man Hours

	Number of hours
Animal	80
Bld/Grounds	95
Parks	445
Street	180
Public Works	185
Miscellaneous	0
Overtime	0
Building Inspections	20
Plumbing Inspections	20
Electrical inspections	20
HVACR Inspections	20
Code Enforcement	15
Supervision/Public Relations	40
<b>Total</b>	<b>1120</b>



**Farmington Public Library  
May 2013 Statistics**

Number of library card issued:  
20

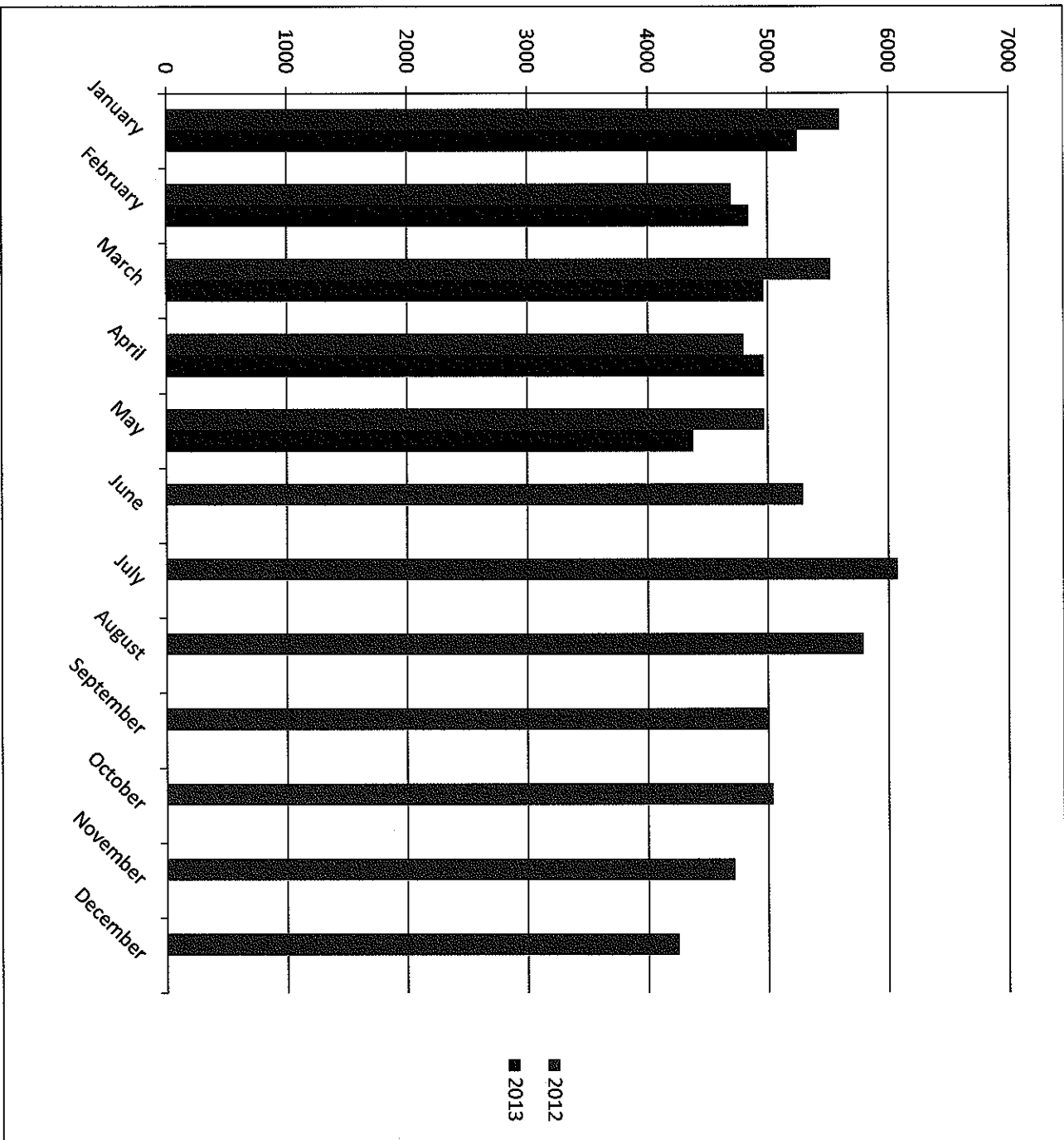
Daily patron visits:  
3474 door counter (door counter got stuck)  
139 preschool story time  
4 adult book club  
4 teen book club

Number of patrons using the computers:  
app. 558

Number of hours on computers (approximately):  
app. 837

Total number of items checked out from Farmington Public Library:  
4385

Farvington Public Library  
Circulation Graph





PLANNING COMMISSION MINUTES

MARCH 26, 2013

1. ROLL CALL:

PRESENT

Toni Bahn  
Gerry Harris  
Matt Hutcherson  
Judy Horne  
Robert Mann  
Josh Clary

ABSENT

Sean Schader  
Bobby Wilson

2. APPROVAL OF MINUTES:

3. COMMENTS FROM CITIZENS: NONE

4. A. Renewal of Conditional Use Request: For home daycare 46 Saxony.

Candice Sawin was present and stated she has 8 kids. She has 3 school aged kids that do not count towards 10. She has 1 child under 3 that is included in the 8 count.

Comment: Mr. Barry Ward who owns the home at 47 Rob Street says noise is excessive. He says she has various play/climbing towers in yard plus trampoline. He states kids pop up over the fence. Mr. Ward stated his wife is homebound and disabled and this bothers her. He says they do not see owner of the home (Sawin) but another woman running operation. He said it is intrusive on private areas of home especially during summer it seems over 20 kids in yard. He says they climb towers in yard which are over 6 ft. tall and can see into their private area.

Candice Sawin back to podium: Stated she does have drop ins from state. Never been over in number of kids since 2006. She states no one else works

For her-did a few years ago but not now.

Neighbor's wife came over screaming and belligerent. She told her to call police, which she did. She said she has 2 infants, all others 3 and 4 year olds.

Steve Tennant clarified numbers she can have, based on our ordinance and State Law.

Her Licensing Specialist is Ainsley Brown.

Toni asked to confirm all play things are on her property and within her fence. She stated yes.

Judy asked if there were trees in yard and she stated yes.

Candice stated she would like for Officer Bowen to come and talk with the Planning Commission.

Josh asked if City had any other complaints, none in attendance had been made aware of.

Judy moved to table for further research until April meeting and talk to officials. Gerry 2<sup>nd</sup> motion. The vote was unanimous to table until next meeting on April 22<sup>nd</sup>.

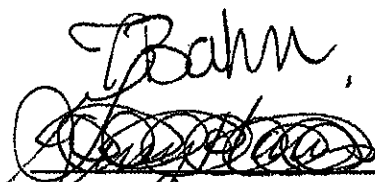
4. B. Renewal of Conditional Use Request: For home daycare at 81 Double Springs. Summer Lunsford was present and she stated she has 9, licensed For 10. She stated 2 are hers and 1 is her assistants. There have been no complaints reported on Ms Lunsford's daycare operation since 2010.

The Commission voted unanimously to approve the renewal of conditional use for Ms Lunsford's daycare.

5. REVIEW OF DESIGN STANDARDS FOR MASTER TRAIL:

There were questions and comments from members of the public. Hutcherson pointed out that the Commission is taking citizen's comments into consideration. Josh made a motion to send Master Trail Plan/ Resolution w/ Public comments to the City Council. Matt seconded motion. Robert read copy of Resolution out loud. The Commission voted unanimously to send to City Council.

Matt Hutcherson made a motion to adjourn and Toni 2<sup>nd</sup>.

  
Secretary, Planning Commission

  
Chairman, Planning Commission.

PLANNING COMMISSION MINUTES

April 29, 2013

1. ROLL CALL:

PRESENT

Judy Horne

Gerry Harris

Robert Mann

Josh Clary

Bobby Wilson (Late-came only for vote on #4 A.)

ABSENT

Sean Schader

Matt Hutcherson

Toni Bahn

2. APPROVAL OF MINUTES: Tabled to next Meeting.

3. COMMENTS FROM CITIZENS:

4. A. Renewal of Conditional Use Request:

Since Bobby Wilson was not going to be able stay long and without him there was not a quorum, the Planning Commission needed to make decision on Renewal of Conditional Use for home daycare at 46 Saxony.

Owner: Candice Sawin.

Candice Sawin spoke and stated she has 8 children at this time and one of those is her own. She stated that she has no help and she lives in the home. When asked about moving the play tower out of their line of view and then moving it back she said it was because of what happened at the meeting.

Dr. Barry Ward who owns the home at 47 Rob Street spoke about the same complaints that he had discussed previously. He said he still did not believe she lived in the house. He stated he would be keeping notes and pictures.

WITNESS: Andria Baird stated that she could verify that Candice Sawin lived at 46 Saxon because she helped her move in. She also said they had had some yard sales there together.

Melissa McCarville, City Business Mgr, stated she had spoken with Ainsley Brown and she stated that Ms. Sawin was in compliance and there were no problems.

As there were no more questions, Chairman Mann asked for a vote.

Bobby Wilson, Josh Clary both voted yes. Gerry Harris and Judy Horne both voted no. The Chairman had to vote to break the tie. Chairman Mann voted yes. The renewal was approved for another year.

No further business could be approved because Mr. Wilson had to leave and it left The Commission without a quorum.

A public hearing for landscape will be held at May 28, 2013.

  
Secretary, Planning Commission

  
Chairman, Planning Commission.