



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

**CITY COUNCIL AGENDA -
March 9, 2026**

A regular meeting of the Farmington City Council will be held on
Monday, March 9, 2026, 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 –February 9, 2025, City Council Meeting.
6. Financial Reports
7. Entertain a motion to read all ordinances and resolutions by title only.
8. Proclamations, special announcements, committee/commission appointments.
9. Committee Reports
 - a. Street Committee
10. Items to be removed from City of Farmington Inventory – SEE MEMO

NEW BUSINESS

11. Resolution No. 2026-05 a resolution approving an agreement for participation in the Arkansas Municipal League's Trauma Assistance Program.
12. Resolution No. 2026-06 a resolution expressing the willingness of the City of Farmington, Arkansas to utilize federal-aid funds for the following project: Traffic signal upgrades and coordination on Hwy 62.
13. Ordinance No. 2026-02 an ordinance to adopt a revised personnel policy for the City of Farmington, Arkansas.
14. Ordinance No. 2026-03 an ordinance to add design standards for non-residential structures, to the Farmington Code of Ordinances; providing for an emergency, and other purposes.
15. Ordinance No. 2026-04 an ordinance amending section 14.04.05 of the City of Farmington Municipal Code to include two new commercial zoning districts; declaring an emergency and for other purposes.
16. Ordinance No. 2026-05 an ordinance adding language to the Farmington Municipal Code Section 14.04.08, requiring all developments that demand a commercial building permit to proceed through the large-scale development process, providing for an emergency, and other purposes.
17. Ordinance No. 2026-06 an ordinance to amend and correct setback distances in residential and multifamily zoning codes of Farmington, Arkansas, and to correct outdated zoning language, providing for an emergency, and other purposes.
18. Ordinance No. 2026-07 an ordinance adding specific language to the Farmington Municipal Code section 14.04.08 and 15.04.03, requiring one half street improvements on development projects, providing for an emergency, and other purposes.
19. Ordinance No. 2026-08 an ordinance amending the Farmington Municipal Code Section 14.04.02, adding new definitions to the zoning code; providing for an emergency, and other purposes.
20. Ordinance No. 2026-09 an ordinance amending language to the Farmington Municipal Code Section 8.28, adding language to address parking in multi-family zones amending the requirement of parking spaces required for churches and assemblies; providing for an emergency, and other purposes.

MINUTES



Mayor Ernie Penn

City Attorney Jay Moore

City Clerk Kelly Penn

City Council Member Sherry Mathews
Ward 1 Position 1

Council Member Keith Lipford
Ward 2 Position 1

Council Member Brenda Cunningham
Ward 3 Position 1

Council Member Diane Bryant
Ward 4 Position 1

Council Member Hunter Carnahan
Ward 1 Position 2

Council Member Bobby Morgan
Ward 2 Position 2

Council Member Linda Bell
Ward 3 Position 2

Council Member Kara Gardenhire
Ward 4 Position 2

A meeting of the Farmington City Council was held on February 9, 2026, at 6:00 p.m. in the Council Chambers at Farmington City Hall, located at 354 West Main Street, Farmington Arkansas. Mayor Penn called the meeting to order.

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

Pledge of Allegiance

Comments from Citizens –

Pat Lassiter – The senior center is in need of a new van and is seeking donations in the amount of \$25,000.

Norm Toring – The Planning Commission and City Council needs to have a work session together. There were 3 new homes going in on Clyde Carnes Road and the driveways do not have drainage culverts.

Diane Bryant - She is running for Washington County Justice of the Peace.

Approval of the January 12th, 2026, City Council Meeting Minutes

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

Financial Reports

Mayor Penn presented the financial reports to the City Council. Monthly city sales tax increased 4.72% compared to 2025. Monthly state/county sales tax decreased 2.26% compared to 2025.

City Business Manager McCarville reported an error in the reporting of City Business Licenses income in November and December of 2025. While preparing the amended budget she realized the amounts were unusually high. \$21,000 in November and \$36,000 in December. Upon review, they were invoices for 2026 incorrectly credited in 2025 and there were some duplicate entries. The cause of the error was unclear; a software issue or human error was unable to be determined. The duplicate entries have been eliminated, and the revenue will be correctly reported for 2026. A former Legislative Auditor was consulted, and she advised the issue be formally reported to the council and included in the official minutes to be provided to Legislative Audit.

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

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

Proclamations, Special Announcements, Committee/Commission Appointments - None

Committee Reports – No committee reports were submitted.

Items to be removed from the City of Farmington – Police Department

On the motion of Council Member Carnahan and a second by Council Member Morgan and by the consent of all Council Members present after a roll call vote, the motion to remove a Kenwood Radio Model VM5000 (Serial #X93009214030173) City Tag #1031 from inventory was approved 8-0.

Old Business – None

New Business

Resolution 2026-03 A Resolution providing for the adoption of the amended budget for the City of Farmington, Arkansas for the 12 months beginning January 1, 2025 and ending December 31, 2025; appropriating money for each item, and for other purposes.

On the motion of Council Member Bell and a second by Council Member Gardenhire and by the consent of all Council Members present after a roll call vote, the motion to approve Resolution 2026-03 was approved 8-0.

Resolution 2026-04 A Resolution waiving requirement for competitive bidding for the construction of sanitary sewer improvements in Farmington from 175 W. Cimmaron Place, Farmington, extending north 2,820 linear feet along the creek to the Farmington Branch.

On the motion of Council Member Carnahan and a second by Council Member Bryant and by the consent of all Council Members present after a roll call vote, the motion to approve Resolution 2026-04 was approved 8-0.

Amend the Professional Services Agreement for Creekside Trail.

On the motion of Council Member Carnahan and a second by Council Member Bell and by the consent of all Council Members present after a roll call vote, the motion to amend the Burns & McDonald Professional services agreement in the amended amount of \$32,755.00, to bring the lump sum total to \$164,355.00 was approved 8-0.

State of the City Address – Mayor Penn

Citizens of Farmington and City Council Members: It is my honor tonight to present the 2026 State of the City Address. I would like to begin by thanking our city employees for their dedication and commitment to making Farmington a better place to live. It takes a team effort every day to provide the services that our citizens require, both now and in the future. I am pleased to report that our city is financially sound, and we have maintained excellent cash reserves. We have always budgeted conservatively, and our City Sales tax and County sales tax continue to increase each year. Based upon our 2025 budget numbers, our City Sales tax received was 15.2% higher than budgeted and our County/State sales tax received was 13.4% higher than budgeted. This increase has allowed our city to have funds to support expansion of our city services, add new employees and for Capital Improvement projects to start and be completed without interruption, without incurring massive debt or over taxing our citizens with additional bond issues. Our city was approved for several grants from government agencies that allowed us to complete major projects in 2025. Some of the projects that were completed in 2025:

- The \$15 million dollar Hwy 170 project that increased the safety for our residents who travel this road every day as well as the students and parents who travel to our schools
- Angus Lane widening and overlay project
- Broyles Street curb ramps, new crosswalks, signage and striping to improve safety on this road
- Repair to the Fitness Center (previously old city hall building)
- Re-surface the Tennis Courts in Creekside Park

The following projects will be completed or started in 2026:

- Double Springs Bridge replacement/repairs---\$6.5 million funding will be provided by Dept of Hud, Federal appropriations by Congressman Steve Womack
- Sewer Line Expansion from 12" to 18" by a joint venture with Riverwood Homes, D R Horton homes and City of Farmington
- Senior Center remodel with \$396,292 grant money CDBG funds
- Creekside Park Trail Project \$900,000 from ARDOT/Federal Transportation funding and Walton Family providing \$450,000 for lights and landscaping

- 2026 State Street Aid funding of \$400,000 for 3 streets needing improvement
- Impact Fee Study
- Implement our new Strategic Planning actions

Our city continues to experience growth in the residential and commercial areas. Growth can be challenging at times, but it can also bring new opportunities for our city and provide additional employment opportunities for our residents. In 2025, our city issued 268 new residential permits. The residential permits consisted of 262 single family homes with a value of \$110,674,000 and 6 Duplex permits with a value of \$2,656,000. Our city population from the 2020 Census was 7,584, in 2023 that increased to 9,761. In 2025, our population increased to 10,525 residents.

Farmington continues to be an extremely attractive place for families to locate and send their children to school. Our outstanding school district and its facilities continue to be one of the most attractive features of our community, as evident by our student population of 3,100 children. With the commitment from our City Council, it is imperative that we work together and implement our new strategic plan for the future growth of our city. In 2005, our city leaders with input from the public put together a 20-year strategic growth plan for the City of Farmington. I am proud to report that we completed that plan. This year we will set in motion a new 30-year plan with input from city leaders, council members, planning commissioners and most importantly the citizens of Farmington. I look forward to everyone's input as we chart the growth for the future generations that will call Farmington home. In closing, I would like to thank the council for serving the citizens of Farmington. It is not always an easy job and sometimes we do not agree with each other, but our job is to make the best decision for the city and the people we represent. Thank you to our Planning Commissioners, who have worked tirelessly in the past few years to update our zoning requirements to keep up with the growth and demands our City has experienced. I have served the city of Farmington for 28 years, 24 as your Mayor and 4 on the city council, and I have been honored to do so, but this will be my last state of the city address, I will not be running for reelection. It is time for some new fresh progressive points of view to guide our city in the future. I would encourage our citizens and especially our young people to get involved and run for office. Being able to run unopposed over the years as some of us have is a good thing, because it makes you feel the citizens are satisfied with the job we are doing. But at the same time I worry that in today's current climate of cancel culture and keyboard warriors, many people are simply unwilling to run for public office. I encourage our citizens to be involved and take interest in shaping their city, it is time for the next generation of leaders to take ownership. In closing, I would like to thank the council for serving the citizens of Farmington. It is not always an easy job and sometimes we do not agree with each other, but our job is to make the best decision for the city and the people we represent. Thank you to our Planning Commissioners, who have worked tirelessly in the past few years to update our zoning requirements to keep up with the growth and demands our City has experienced. I have received a lot of blessings working here at the city of Farmington. I have had a lot of great people to work with. I have a very special person that I work with, and it's been a blessing for her to be in my life. My wife Kelly has served alongside me for 20 years and had dedicated a lot of time and endured some pain and struggles with me serving as Mayor. I just wanted to recognize her for all the great things she does for the city. I could not have done this without her support. Thank you.

Motion to Adjourn

There being no further business coming before the council, the meeting adjourned at 6:48 pm by a motion from Council Member Carnahan and a second by Council Member Bryant until the next regularly scheduled meeting to be held Monday, March 9th, 2026, in the City Council Chambers at City Hall, located at 354 West Main Street, Farmington, Arkansas.

Approved: Ernie Penn, Mayor _____

Attest: Kelly Penn, City Clerk _____

Financial



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

TO: Farmington City Council
Kelly Penn, City Clerk

FROM: Mayor Ernie Penn

A handwritten signature in blue ink, appearing to read "Ernie Penn", is written over the printed name.

RE: Summary of City Financial Report February 2026

- 2026 City Sales Tax – **Increased by .078% in February**, compared to February of 2025.
- 2026 State/County Sales Tax – **Increased by 1.38% in February**, compared to February 2025.
- 2026 City Sales Tax - **Year to date has increased by 2.57%**, compared to 2025.
- 2026 State/County Sales Tax—**Year to date has decreased by (0.78%)** compared to 2025.
- 2007 Sewer Bond (\$4,500,000), Loan Balance \$984,784, Bond Payoff Date 10/15/2029.
- 2017 Sales and Use Bonds (5,090,000), Loan Balance \$3,670,000, Bond payoff date 10/1/2037.
- **Deposits:** We have deposits on file totaling \$14,542,219 based on statement balances as of 02/28/26.

MONTH	CITY SALES TAX			STATE SALES TAX	
	2025	2026		2025	2026
JANUARY	\$ 276,136.00	\$ 289,178.84		\$ 181,694.58	\$ 177,587.65
FEBRUARY	\$ 331,826.36	\$ 334,407.27		\$ 197,766.35	\$ 200,496.57
MARCH	\$ 235,802.15			\$ 159,540.12	
APRIL	\$ 246,672.24			\$ 160,925.89	
MAY	\$ 289,298.42			\$ 185,588.64	
JUNE	\$ 278,455.84			\$ 177,107.39	
JULY	\$ 292,689.84			\$ 178,708.20	
AUGUST	\$ 294,858.77			\$ 183,563.88	
SEPTEMBER	\$ 299,221.18			\$ 182,963.04	
OCTOBER	\$ 305,045.26			\$ 187,271.81	
NOVEMBER	\$ 319,190.89			\$ 179,302.35	
DECEMBER	\$ 280,381.95			\$ 181,362.88	
		City Sales Tax		State Sales Tax	
Monthly Comparison -January 2025/January 2026		\$ 2,580.91		\$ 2,730.22	
YTD comparison	Increase/Decrease for 2026 over 2025 YTD - City Sales Tax	\$ 15,623.75		Increase for 2025 over 2024 YTD - State Sales Tax	\$ 1,376.71
Total Actual 2026 Income vs 2026 Budgeted Income	County Wide Sales Tax	City Sales Tax		Total Sales Tax Increase/(Decrease) YTD 2025	\$ 17,000.46
Total Budget 2026	\$ 2,000,000.00	\$ 3,100,000.00			
Actual 2026 (thru January)	\$ 378,084.22	\$ 623,586.11			

3/3/2026
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GENERAL FUND
Statement of Revenue and Expenditures

	Year-To-Date	Annual Budget	Jan 2026
	Jan 2026	Jan 2026	Dec 2026
	Feb 2026	Dec 2026	Percent of
	Actual		Budget
Revenue & Expenditures			
GENERAL REVENUES			
Revenue			
ACCIDENT REPORT REVENUES	150.30	1,500.00	10.02%
ACT 833	0.00	30,000.00	0.00%
ALCOHOL SALES TAX	1,502.12	8,000.00	18.78%
ANIMAL CONTROL REVENUES	150.00	2,000.00	7.50%
BUILDING INSPECTION FEES	57,171.26	300,000.00	19.06%
BUSINESS LICENSES	4,039.25	6,000.00	67.32%
CITY COURT FINES	28,103.00	120,000.00	23.42%
CITY SALES TAX REVENUES	623,586.11	3,100,000.00	20.12%
COUNTY TURNBACK	106,976.50	800,000.00	13.37%
DEVELOPMENT FEES	6,465.00	30,000.00	21.55%
FRANCHISE FEES	139,482.48	500,000.00	27.90%
GARAGE SALE PERMITS	20.00	1,500.00	1.33%
INTEREST REVENUES	12,157.82	260,000.00	4.68%
MISCELLANEOUS REVENUES	163,904.00	0.00	0.00%
Off Duty Police Reimbursement	23,427.48	25,000.00	93.71%
PARK RENTAL	503.00	7,000.00	7.19%
PAYMENT IN LIEU OF IMPROVEMENT	0.00	10,000.00	0.00%
SALES TAX - OTHER	378,084.22	2,000,000.00	18.90%
SPORTS COMPLEX FEES	14,894.58	50,000.00	29.79%
SRO REIMBURSEMENT REVENUES	0.00	100,000.00	0.00%
STATE TURNBACK	23,074.33	105,000.00	21.98%
TRANS FROM GENERAL FUND	0.00	346,608.86	0.00%
Revenue	\$1,583,691.45	\$7,802,608.86	

GENERAL FUND
Statement of Revenue and Expenditures

	Year-To-Date	Annual Budget	Jan 2026
	Jan 2026	Jan 2026	Dec 2026
	Feb 2026	Dec 2026	Percent of
	Actual		Budget
ADMINISTRATIVE DEPT			
Expenses			
ADDITIONAL SERVICES EXPENSE	78,018.97	190,000.00	41.06%
ADVERTISING EXPENSE	1,445.36	7,200.00	20.07%
Bank Charges	1,251.01	8,000.00	15.64%
BUILDING MAINT & CLEANING	15,456.87	60,000.00	25.76%
ELECTION EXPENSES	0.00	5,000.00	0.00%
ENGINEERING FEES	18,779.02	140,000.00	13.41%
INSURANCES EXPENSE	1,994.46	130,000.00	1.53%
LEGAL FEES	0.00	10,000.00	0.00%
MATERIALS & SUPPLIES EXPENSE	2,614.13	30,000.00	8.71%
MISCELLANEOUS EXPENSE	0.00	2,000.00	0.00%
NEW EQUIPMENT PURCHASE	0.00	10,000.00	0.00%
PAYROLL EXP - CITY ATTRNY	14,174.56	87,019.00	16.29%
PAYROLL EXP - ELECTED OFFICIAL	24,886.80	132,000.00	18.85%
PAYROLL EXP - REGULAR	59,320.57	342,077.68	17.34%
PLANNING COMMISSION	1,661.20	22,000.00	7.55%
POSTAGE EXPENSE	0.00	2,200.00	0.00%
PROFESSIONAL SERVICES	22,172.17	50,000.00	44.34%
REPAIR & MAINT - EQUIPMENT	2,046.54	2,000.00	102.33%
REPAIR & MAINT - OFFICE EQUIP	1,034.99	6,500.00	15.92%
TECHNICAL SUPPORT	22,619.71	100,000.00	22.62%
TELECOMMUNICATION EXPENSES	0.00	2,000.00	0.00%
TRANSFER TO ADMIN OF JUSTICE	300.00	0.00	0.00%
TRAVEL, TRAINING & MEETINGS	6,782.05	20,000.00	33.91%
UTILITIES EXPENSES	16,254.81	100,000.00	16.25%
Expenses	\$290,813.22	\$1,457,996.68	

3/3/2026
10:21 AM

GENERAL FUND
Statement of Revenue and Expenditures

	Year-To-Date	Annual Budget	Jan 2026
	Jan 2026	Jan 2026	Dec 2026
	Feb 2026	Dec 2026	Percent of
	Actual		Budget
ANIMAL CONTROL DEPT			
Expenses			
FUEL EXPENSES	282.01	2,000.00	14.10%
MATERIALS & SUPPLIES EXPENSE	35.30	500.00	7.06%
PAYROLL EXP - REGULAR	13,495.18	91,277.79	14.78%
PROFESSIONAL SERVICES	600.00	12,000.00	5.00%
REPAIR & MAINT - AUTOMOBILES	40.36	1,500.00	2.69%
REPAIR & MAINT - EQUIPMENT	0.00	500.00	0.00%
TRAVEL, TRAINING & MEETINGS	0.00	500.00	0.00%
UNIFORMS/GEAR EXPENSE	0.00	500.00	0.00%
Expenses	\$14,452.85	\$108,777.79	

3/3/2026
10:21 AM

GENERAL FUND
Statement of Revenue and Expenditures

	Year-To-Date	Annual Budget	Jan 2026
	Jan 2026	Jan 2026	Dec 2026
	Feb 2026	Dec 2026	Percent of
	Actual		Budget
BUILDING PERMIT DEPT			
Expenses			
FUEL EXPENSES	565.16	5,000.00	11.30%
PAYROLL EXP - REGULAR	29,816.08	212,202.50	14.05%
REPAIR & MAINT - AUTOMOBILES	0.00	2,000.00	0.00%
TRAVEL, TRAINING & MEETINGS	1,324.78	5,000.00	26.50%
UNIFORMS/GEAR EXPENSE	0.00	1,000.00	0.00%
Expenses	\$31,706.02	\$225,202.50	

3/3/2026
10:21 AM

GENERAL FUND
Statement of Revenue and Expenditures

	Year-To-Date Jan 2026 Feb 2026 Actual	Annual Budget Jan 2026 Dec 2026	Jan 2026 Dec 2026 Percent of Budget
FIRE DEPT			
Expenses			
ADVERTISING EXPENSE	0.00	2,000.00	0.00%
FUEL EXPENSES	3,340.86	25,000.00	13.36%
HAZMAT EXPENSES	2,881.92	4,000.00	72.05%
MATERIALS & SUPPLIES EXPENSE	4,244.95	50,000.00	8.49%
MISCELLANEOUS EXPENSE	0.00	500.00	0.00%
NEW EQUIPMENT PURCHASE	0.00	73,600.00	0.00%
PAYROLL EXP - REGULAR	281,474.14	1,626,180.11	17.31%
PROFESSIONAL SERVICES	0.00	10,000.00	0.00%
REPAIR & MAINT - BUILDING	4,593.86	50,000.00	9.19%
REPAIR & MAINT - EQUIPMENT	3,107.54	12,150.00	25.58%
REPAIR & MAINT - TRUCK	1,749.54	30,000.00	5.83%
TRAVEL, TRAINING & MEETINGS	4,428.41	25,000.00	17.71%
UNIFORMS/GEAR EXPENSE	1,850.50	35,000.00	5.29%
Expenses	\$307,671.72	\$1,943,430.11	

3/3/2026
 10:21 AM

GENERAL FUND
Statement of Revenue and Expenditures

	Year-To-Date	Annual Budget	Jan 2026
	Jan 2026	Jan 2026	Dec 2026
	Feb 2026	Dec 2026	Percent of
	Actual		Budget
LAW ENFORCE - COURT			
Expenses			
MATERIALS & SUPPLIES EXPENSE	735.35	3,000.00	24.51%
MISCELLANEOUS EXPENSE	0.00	400.00	0.00%
NEW EQUIPMENT PURCHASE	0.00	9,600.00	0.00%
PAYROLL EXP - REGULAR	22,002.10	195,671.05	11.24%
POSTAGE EXPENSE	0.00	500.00	0.00%
SPECIAL COURT COSTS	0.00	11,000.00	0.00%
TRAVEL, TRAINING & MEETINGS	150.00	5,000.00	3.00%
Expenses	\$22,887.45	\$225,171.05	

3/3/2026
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GENERAL FUND
Statement of Revenue and Expenditures

	Year-To-Date	Annual Budget	Jan 2026
	Jan 2026	Jan 2026	Dec 2026
	Feb 2026	Dec 2026	Percent of
	Actual		Budget
LAW ENFORCE - POLICE			
Expenses			
ADVERTISING EXPENSE	0.00	100.00	0.00%
DRUG TASK FORCE	1,500.00	2,000.00	75.00%
FUEL EXPENSES	9,208.27	81,000.00	11.37%
MATERIALS & SUPPLIES EXPENSE	34,663.66	150,000.00	23.11%
MISCELLANEOUS EXPENSE	0.00	500.00	0.00%
NEW EQUIPMENT PURCHASE	107,334.00	240,000.00	44.72%
Off Duty Police Pay	1,414.22	20,000.00	7.07%
PAYROLL EXP - REGULAR	345,381.78	2,175,113.42	15.88%
PAYROLL EXP - SRO	39,048.98	219,606.77	17.78%
REPAIR & MAINT - AUTOMOBILES	3,233.41	35,000.00	9.24%
REPAIR & MAINT - EQUIPMENT	393.50	3,000.00	13.12%
TRAVEL, TRAINING & MEETINGS	3,020.00	15,000.00	20.13%
UNIFORMS/GEAR EXPENSE	6,310.95	25,000.00	25.24%
Expenses	\$551,508.77	\$2,966,320.19	

3/3/2026
10:21 AM

GENERAL FUND
Statement of Revenue and Expenditures

	Year-To-Date Jan 2026 Feb 2026 Actual	Annual Budget Jan 2026 Dec 2026	Jan 2026 Dec 2026 Percent of Budget
PARKS DEPT			
Expenses			
CAPITAL IMPROVEMENT	0.00	250,000.00	0.00%
ENGINEERING FEES	0.00	30,000.00	0.00%
MATERIALS & SUPPLIES EXPENSE	1,355.05	15,000.00	9.03%
NEW EQUIPMENT PURCHASE	0.00	15,000.00	0.00%
PAYROLL EXP - REGULAR	50,612.65	340,310.54	14.87%
PAYROLL EXP - SPORTS COMPLEX	1,180.91	0.00	0.00%
PROFESSIONAL SERVICES	6,000.00	30,000.00	20.00%
REPAIR & MAINT - BUILDING	149.00	0.00	0.00%
REPAIR & MAINT - EQUIPMENT	4,060.63	10,000.00	40.61%
SPORTS PARK MATERIALS	7,849.99	25,000.00	31.40%
SPORTS PARK NEW EQUIP	0.00	10,000.00	0.00%
SPORTS PARK PROF SERV	24,497.54	45,000.00	54.44%
SPORTS PARK REPAIR/MAINT	373.74	5,000.00	7.47%
SPORTS PARK UTILITIES	2,843.98	20,000.00	14.22%
TRAVEL, TRAINING & MEETINGS	330.00	1,000.00	33.00%
UNIFORMS/GEAR EXPENSE	0.00	1,400.00	0.00%
UTILITIES EXPENSES	1,925.83	8,000.00	24.07%
Expenses	\$101,179.32	\$805,710.54	

LIBRARY FUND
Statement of Revenue and Expenditures

	Current Period Jan 2026 Feb 2026 Actual	Annual Budget Jan 2026 Dec 2026	Jan 2026 Dec 2026 Percent of Budget
Revenue & Expenditures			
Revenue			
FINES/LOST ITEMS	\$798.45	\$4,000.00	19.96%
INTEREST REVENUES	\$484.83	\$0.00	
MISCELLANEOUS REVENUES	\$10,603.86	\$0.00	
TRANSFER FROM GENERAL FUND	\$0.00	\$70,000.00	0.00%
WASHINGTON CO LIBRARY REVENUES	\$79,868.00	\$316,879.00	25.20%
Revenue	\$91,755.14	\$390,879.00	
Expenses			
ADVERTISING EXPENSE	762.30	\$ 1,500.00	50.82%
BOOKS AND MEDIA	7,574.45	\$ 40,500.00	18.70%
BUILDING MAINT & CLEANING	376.97	\$ 6,375.00	5.91%
GRANT EXPENSE	15,342.05	\$ -	0.00%
MATERIALS & SUPPLIES EXPENSE	2,810.36	\$ 16,370.00	17.17%
MISCELLANEOUS REVENUES		\$ 500.00	0.00%
NEW EQUIPMENT		\$ 2,000.00	0.00%
PAYROLL EXP - REGULAR	33,484.92	\$ 296,992.00	11.27%
POSTAGE		\$ 300.00	0.00%
PROGRAMS EXPENSE	150.00	\$ 6,000.00	2.50%
TECHNICAL SUPPORT	2,492.19	\$ 13,842.00	18.00%
TRAVEL & TRAINING		\$ 1,500.00	0.00%
UTILITIES EXPENSES	790.82	\$ 5,000.00	15.82%
Expenses	\$63,784.06	\$390,879.00	

STREET FUND

Statement of Revenue and Expenditures

	Current Period Jan 2026 Feb 2026 Actual	Annual Budget Jan 2026 Dec 2026	Jan 2026 Dec 2026 Percent of Budget
Revenue & Expenditures			
Revenue			
INTEREST REVENUES	\$ 328.79	\$ 5,500.00	5.98%
MISCELLANEOUS REVENUES	\$ 19,962.64	\$ -	
STREET COUNTY TURNBACK	\$ 11,870.91	\$ 75,000.00	15.83%
STREET STATE TURNBACK	\$ 99,323.41	\$ 550,000.00	18.06%
TRANSFER FROM GENERAL	\$ -	\$ 461,348.41	0.00%
Revenue	\$ 131,485.75	\$ 1,091,848.41	
Expenses			
ADDITIONAL SERVICES	\$ -	\$ 10,000.00	0.00%
ADVERTISING	\$ -	\$ 1,000.00	0.00%
ENGINEERING	\$ -	\$ 30,000.00	0.00%
FUEL EXPENSES	\$ 1,459.07	\$ 12,500.00	11.67%
MATERIALS & SUPPLIES EXPENSE	\$ 3,105.04	\$ 20,000.00	15.53%
MISCELLANEOUS REVENUES	\$ -	\$ 500.00	0.00%
NEW EQUIPMENT	\$ -	\$ 100,000.00	0.00%
PAYROLL EXP - REGULAR	\$ 36,896.63	\$ 223,148.41	16.53%
PROFESSIONAL SERVICES	\$ 457.03	\$ 20,000.00	2.29%
REPAIR & MAINT - BUILDING	\$ 948.02	\$ 2,000.00	47.40%
REPAIR & MAINT - EQUIPMENT	\$ -	\$ 10,000.00	0.00%
STREET LIGHTS	\$ 16,018.92	\$ 150,000.00	10.68%
STREET/ROAD REPAIRS	\$ 12,749.60	\$ 500,000.00	2.55%
TRAVEL, TRAINING & MEETINGS	\$ -	\$ 500.00	0.00%
UNIFORMS/GEAR EXPENSE	\$ -	\$ 2,200.00	0.00%
UTILITIES EXPENSES	\$ 3,581.04	\$ 20,000.00	17.91%
Expenses	\$ 75,215.35	\$ 1,101,848.41	

If you use a debit/credit card to check in, a hold may be placed on your card account for the full anticipated amount to be owed to the hotel, including estimated incidentals, through your date of check-out and such hold may not be released for 72 hours from the date of check-out or longer at the discretion of your card issuer.

Cancellation policy

Free cancellation before 11:59 PM local hotel time on 20 Apr 2026.

At check in, the front desk will verify your check-out date. Rates quoted are based on check-in date and length of stay. Should you choose to depart early, price is subject to change.

We reserve the right to cancel or modify reservations where it appears that a customer has engaged in fraudulent or inappropriate activity or under other circumstances where it appears that the reservations contain or resulted from a mistake or error.

Totals listed here are estimated based on current taxes and exchange rates (if applicable) and do not include additional fees/charges that may be incurred during your stay.

Optional services for an additional charge

Self parking

\$12.00 / night

Pets

Pets allowed, \$75.00 non-refundable fee, \$75(1-4n), \$125(5+n)2petsMax,dog/cat only

Committee Reports



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

MEMO

To: Farmington City Council
Ernie Penn, Mayor
Kelly Penn, City Clerk

From: Bobby Morgan
Re: Street Committee
Date: 3/9/26

Recommendation

Background

Discussion

Ten streetlights have been installed along Highway 170. We are still awaiting the installation of the remaining streetlights, which will require cost-sharing on our part.

I also inspected Giles Road and observed cracking along the edge of the roadway. Tanner Denham has been made aware of the issue and is currently looking into it.

Budget Impact

Agenda Item 10

(remove from inventory)



City of Farmington
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MEMO

To: Farmington City Council
Ernie Penn, Mayor
Kelly Penn, City Clerk

From: William Hellard Chief
Re: REMOVAL OF ITEMS FROM INVENTORY
Date: 2/4/26

Recommendation

Frig. Refrigerator LA34020657 0037 11/1/2003

Background

This refrigerator quit working.

Discussion

The refrigerator is 23 years old and has been replaced.

Units to be removed:

Frig. Refrigerator LA34020657 0037 11/1/2003 \$867.00

Agenda Item 11



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

MEMO

To: Farmington City Council
Ernie Penn, Mayor
Kelly Penn, City Clerk

From: Ashley Duncan
Re: Act 398 Trauma Response Program (TAP)
Date: 3/9/2026

Recommendation

It is recommended that the Trauma Response Program, organized and run by the Municipal League be implemented within the City of Farmington due to the required need for a program to make the city compliant with ACT 398.

Background

Act 398, enacted by the State of Arkansas in 2025, requires Arkansas public employers to provide licensed counseling for public safety officers who experience traumatic events.

Discussion

Due to Act 398, the Municipal League has created TAP to support the needs of public entities who fall under this requirement. This includes 12 licensed counseling sessions for public safety officers who fall under this category within a 12-month period (full-time police and fire). We are requesting volunteer firefighters be added to this benefit as well. Trauma counselors are organized by the Municipal League and available to those public safety employees who experience a traumatic event during service. Traumatic events covered under plan are specified within Act 398 and event has to meet these parameters to be covered.

Budget Impact

Budget will not be impacted unless services are used not to exceed \$100-150 per one-hour counseling session (12-sessions annually). No fees associated with this benefit with the exception of the cost of the individual counseling sessions.

RESOLUTION NO. 2026-05

A RESOLUTION APPROVING AN AGREEMENT FOR PARTICIPATION IN THE ARKANSAS MUNICIPAL LEAGUE'S TRAUMA ASSISTANCE PROGRAM

WHEREAS, Act 398 of 2025 requires public employers to provide coverage for its public safety employees to participate in up to twelve (12) licensed counseling visits in a calendar year following a traumatic event; and

WHEREAS, Act 398 of 2025 states that a public employer may satisfy the requirements of the Act through the creation of its own program or the participation in a program that complies with the Act's requirements; and

WHEREAS, the Arkansas Municipal League has established and is administering a Trauma Assistance Program in compliance with Act 398 of 2025; and

WHEREAS, participation in the Arkansas Municipal League's Trauma Assistance Program is strictly voluntary and the City wishes to participate in the Program to facilitate the provision of licensed counseling to individuals who are eligible for such services under Act 398 of 2025.

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

1. The Participation Agreement attached hereto as Exhibit A is hereby approved.

PASSED AND APPROVED this 9th day of March 2026.

Ernie Penn, Mayor

Kelly Penn, City Clerk

Agenda Item 12



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: Resolution to apply for Federal Grants
Date: March 3, 2026

Recommendation

Approve the resolution authorizing the City of Farmington to apply for available federal grant funding to upgrade and modernize the City's traffic signal infrastructure. Approval of this resolution will allow staff to submit the necessary application materials within required deadlines and allow the City to secure outside funding for critical transportation improvements.

Background

Several of Farmington's existing traffic signals are aging and utilize outdated equipment that is increasingly difficult to maintain. Older signal systems may lack modern safety features, energy-efficient technology, and real-time traffic monitoring capabilities. Federal grant programs administered through state and federal transportation agencies periodically provide funding opportunities for signal modernization, safety enhancements, and congestion mitigation projects.

The proposed grant would support the replacement or upgrade of traffic signal controllers, signal heads, detection systems, and related communication infrastructure at prioritized intersections throughout the City. The City is coordinating with the City of Fayetteville to assist with the preparation of the grant application and to provide technical support for the installation of upgraded equipment, leveraging their experience and resources to strengthen the application and ensure successful project implementation.

Discussion

Upgrading traffic signals will improve traffic flow, enhance pedestrian safety, reduce vehicle delays, and lower long-term maintenance costs. Modern signal systems can incorporate adaptive timing, improved visibility features, emergency vehicle preemption, and enhanced pedestrian accommodations compliant with current standards.

Collaboration with the City of Fayetteville will enhance the quality of the grant submission and support efficient installation and integration of new equipment. Their partnership will help ensure the project meets federal requirements and follows best practices for deployment and long-term maintenance. The new technology would also coordinate with Fayetteville's signals to assist with traffic flow.

Approval of this resolution does not obligate the City to accept funding if awarded; however, it authorizes staff to submit the grant application and complete required documentation. If the grant is awarded, staff will return to Council with a formal agreement and any required budget amendments prior to project implementation.

Pursuing federal funding aligns with the City's goals of improving infrastructure, enhancing public safety, and leveraging external resources to reduce the burden on local taxpayers.

Budget Impact

There is no immediate fiscal impact associated with approving the resolution to apply for the grant. If awarded, the grant may require a local match, which will be identified in a future agenda item for Council consideration. The use of federal funds would significantly offset the total project cost and reduce the need for City-funded capital expenditures.

RESOLUTION NO. 2026-06

**A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF FARMINGTON,
ARKANSAS TO UTILIZE FEDERAL-AID FUNDS FOR THE FOLLOWING PROJECT:
TRAFFIC SIGNAL UPGRADES AND COORDINATION ON HWY 62**

WHEREAS, Northwest Arkansas Regional Planning Commission has issued a call for projects to be funded with Federal-Aid funds suballocated to Northwest Arkansas; and

WHEREAS, the funding for selected projects will be at the following Federal and Local participating ratios, up to the maximum Federal-aid available:

Type Work	Work Phase	Federal%	Local%
Projects that reach construction	Preliminary Engineering	80	20
	Right-of-Way	80	20
	Utilities	80	20
	Construction	80	20
	Construction Engineering	80	20
Projects that never progress to construction	All Phases	-0-	100

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

SECTION I: CITY COUNCIL OF THE CITY OF FARMINGTON authorizes the application submittal for **TRAFFIC SIGNAL UPGRADES AND COORDINATION ON HWY 62**.

SECTION II: The **CITY OF FARMINGTON** will participate in accordance with its designated responsibilities in this project, including providing of the local match requirement.

SECTION III: The **MAYOR** or their designated representative is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this project.

SECTION IV: The **CITY OF FARMINGTON** pledges its full support and hereby authorizes the Arkansas Department of Transportation and Northwest Arkansas Regional Planning Commission to initiate action to implement this project.

THIS RESOLUTION adopted this 9th day of March, 2026.

ATTEST:

**Kelly Penn, City
Clerk City of
Farmington**

**Ernie Penn,
Mayor City of
Farmington**

Agenda Item 13



City of Farmington
354 W. Main Street
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479-267-3805 (fax)

MEMO

To: Farmington City Council
Ernie Penn, Mayor
Kelly Penn, City Clerk

From: Ashley Duncan
Re: Employment Policy Manual Updates
Date: 3/9/2026

Recommendation

It is the recommendation that the city Employment Policy Manual be updated to reflect responsibilities of added personnel (HR Manager) and additional updates to include:

- Updated new hire orientation training processes
- Federal Salary Basis Requirement updates
- Compensatory Leave date range updates to benefit employee schedules and leaves of absence.
- "Call Pay" updates to reflect cost of living
- Continued Education Reimbursement and Memorandum of Understanding
- Request for signatures of Job Descriptions at the time of hire.
- 1-year minimum for vacation leave payout
- FMLA verbiage updates
- Health benefits – 30-day waiting period for coverage vs. 60-day (current).
- Trauma Assistance Program (TAP) benefit addition.
- FOIA requests designated to City Attorney.
- Vehicle Incident Procedures

Background

Current Employment Policy Manual last updated and amended in 2018. Federal, State, and personnel required updating since the previous amended manual

Discussion

Questions or clarification to the above listed items and descriptive verbiage listed in updated manual to be discussed.

Budget Impact

No direct budget impact from updates to Employment Policy Manual.

ORDINANCE NO. 2026-02

**AN ORDINANCE TO ADOPT A REVISED PERSONNEL POLICY
FOR THE CITY OF FARMINGTON, ARKANSAS**

WHEREAS, the Farmington City Council has the exclusive right to change, alter, delete, add or modify any provision of the personnel policy at any time; and

WHEREAS, revisions to the present personnel policy as presented should be and is hereby approved.

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

Section 1: The city council hereby authorizes revisions to the personnel policy for the Employees of the City of Farmington. A copy of the revised personnel policy is attached hereto as Exhibit "A" and incorporated in its entirety as if set forth herein word for word in this section. The adoption of the revised personnel policy, which shall become effective March 9, 2026, supersedes the personnel policy adopted by the City of Farmington on June 12, 2023, and all amendments prior to and after that date.

REPEALING CLAUSE. All other ordinances and parts of ordinances in conflict herewith are hereby repealed.

SEVERABILITY CLAUSE. In the event any portion of this Ordinance is declared to be inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

EMERGENCY CLAUSE: That the city council of the city of Farmington, Arkansas further determines that it is the utmost urgency that the city have an up-to-date personnel policy to protect the employer and employees of the city of Farmington; therefore, an emergency is hereby declared to exist and this ordinance being necessary for the immediate protection of the employer and employees shall take effect immediately on its passage and approval.

PASSED AND APPROVED this 9th day of March, 2026.

APPROVED:

BY: _____
Ernie Penn, Mayor

ATTEST:

BY: _____
Kelly Penn, City Clerk

PERSONNEL POLICY

For All Employees of the City of Farmington, AR

Chapter 1 -- General Policies

Purpose

This Personnel Handbook contains policies, practices and procedures that are necessary to implement and administer the City of Farmington's personnel system. By adopting the Handbook, the City endeavors to achieve consistent treatment for all employees through the establishment of uniform guidelines and systematic procedures.

Scope

All employees of the City of Farmington are subject to the application of the personnel policies and procedures described in this Handbook.

DEFINITIONS:

EMPLOYEE—An individual who is compensated by and provides a service to the City regardless of the number of hours of work performed during any given time period or the length of the term of employment. The term "employee" shall not include any elected official, any voluntary, appointed member of any board, commission or authority, or any person performing services for the City on the basis of a service contract, retainer, or prescribed fee.

EXEMPT EMPLOYEE—Employee who is not eligible for overtime as defined by the Fair Labor Standards Act.

FULL-TIME EMPLOYEE—Employee who is regularly scheduled to work in a position which has daily, weekly and monthly hours as established by the City Council for full-time work.

NON-EXEMPT EMPLOYEE--Employee who is eligible for overtime compensation as defined by the Fair Labor Standards Act.

OVERTIME—Hours worked in excess of 40 hours during a workweek.

PART-TIME EMPLOYEE--Employee who is regularly scheduled to work in a position whose daily, weekly, or monthly hours are less than the hours established for full-time employees.

SUPERVISOR--Person who has been designated to oversee other employees in a department.

TEMPORARY EMPLOYEE--an employee hired for an intermittent or specified period of time, for a season, for a job of limited duration or for a non-recurring work project.

GENDER STATEMENT--The specific use of any gender reference (pronouns) has been avoided where possible. In most instances where this would have created awkward statements, the masculine pronoun has been used. This reference should be considered to refer to both genders (male and female) alike.

CHAIN OF COMMAND--All employees are always expected to follow the established chain of command in all matters. Should an employee fail to follow this established procedure, disciplinary action may be taken. The proper chain of command will be established as follows. Each employee will be responsible and accountable to their department supervisor. The department supervisor will in turn be responsible and accountable to the City Business Manager who will be responsible and accountable to the Mayor and City Council. In the case of police and fire departments the department manager reports directly to the Mayor. The librarian reports to the chair of the library board.

AMENDMENTS AND REVISIONS

This manual may be amended and revised periodically as necessary at the direction of the City Council.

Since personnel practices and procedures are in a constant state of change, the City will continuously review this Handbook for amendments or revisions which might better serve the needs of the City. As such, this Handbook has been designed to be routinely updated and amended as the need arises.

The City of Farmington shall have the exclusive right to change, alter, delete, add or modify any provision of these personnel policies at any time, with or without notice. Final approval of all changes to the personnel policies shall be approved by resolution of the City Council. Changes made to these policies shall be communicated through standard communication channels and/or through revisions to this manual, however advance notice may not always be possible.

This policy manual supersedes all previous manuals, letters, memoranda, resolutions, and understandings unless otherwise noted.

DISTRIBUTION LIST

A copy of this manual and all subsequent revisions or amendments shall be distributed to all employees and elected or appointed City officials.

Chapter 2 – Equal Employment Opportunity

The City of Farmington is committed to providing equal employment opportunity without regard to race, color, religion, national origin, sex, age, handicap, disability or veteran status as required by all federal and state laws. The city's commitment extends to all employment-related decisions, terms and conditions of employment, including job opportunities, promotions, pay and benefits.

AMERICAN WITH DISABILITIES ACT

The City of Farmington abides by the requirements of The Americans with Disabilities Act and state laws governing the employment of individuals with disabilities. Qualified individuals with disabilities may be entitled to an accommodation in the application process and/or in the workplace. Any qualified individual with a disability who requires reasonable accommodation in the employment process and/or in the work place shall notify the ~~City Business Manager~~ **Human Resources Manager**. It shall be the responsibility of a qualified individual with a disability to request reasonable accommodation in the hiring process or in the workplace.

UNLAWFUL HARASSMENT AND DISCRIMINATION

The City of Farmington expressly prohibits its officials or employees from engaging in any form of unlawful harassment or discrimination whether due to race, religion, creed, color, **sexual preference**, national origin, sex, marital status, age, genetics, status as veteran or special disabled veteran or the presence of any physical, mental or sensory handicap. Harassment of any employee is a serious violation of City Policy and will not be tolerated.

Prohibited conduct defined:

Discrimination is any annoying, persistent act or actions that single out an employee, to that employee's objection to his or her detriment, because of a person's protected status, i.e. race, religion, color, sex, marital status, national origin, age, genetics, status as veteran or special disabled veteran or the presence of any physical, mental or sensory handicap.

Discrimination or harassment can take many forms and can include slurs, comments, jokes, innuendo, unwelcome compliments, pictures, cartoons, pranks or other verbal or physical conduct including, but is not limited to the following actions:

1. Verbal abuse, ridicule or derogatory comments, i.e., jokes, threats, whistling;
2. Interference with an employee's work
3. Displaying or distributing sexually offensive, racist or other derogatory materials;
4. Discriminating against any employee in work assignment or job related training because of one of the above referenced basis;
5. Intentional physical contact with either gender specific portions of a person's body or that person's private parts, i.e., pinching, gestures, unwelcomed touching;
6. Making offensive sexual, racial or other derogatory innuendoes
7. Requesting favors (sexual or otherwise), explicitly, as a condition of employment, promotion, transfer or any other term or condition of employment;
8. Overtly using one's title or position to sexually or otherwise harass employees.

Discrimination or harassment based upon a person's protected status is prohibited by federal and state anti-discrimination laws and violates City policy where it:

1. Has the purpose or effect of creating an intimidating, hostile or offensive work environment;
2. Has the purpose or effect of unreasonably interfering with an individual's performance; or
3. Otherwise unreasonably affects an individual's employment opportunity.

Sexual harassment occurs when the verbal and physical conduct described above is sexual in nature or is gender based, that is directed at a person because of their gender. Sexual harassment does not refer to casual conversation or occasional compliments of a socially acceptable nature.

Sexual harassment is prohibited by federal and state law and violates City policy when:

1. Submission to the conduct is either explicitly or implicitly a term or condition of employment;
2. Submission to or rejection of the conduct is used as a basis for an employment decision affecting such individual;
3. The conduct unreasonably interferes with the individual's job performance or creates a work environment that is intimidating, hostile or offensive.

Sexual harassment includes but not limited to:

- Unwelcome verbal behavior such as comments, suggestions, jokes, or derogatory remarks based on sex
- Physical behavior such as pats, squeezes, repeatedly brushing against someone's body, or impeding or blocking normal work or movement
- Posting of sexually suggestive or derogatory pictures, cartoons, or drawings, even at one's work station;
- Unwanted sexual advances, requests or pressure for sexual favors and/or basing employment decisions (such as an employee's performance evaluation, work assignments, advancement) upon the employee's acquiescence to sexually harassing behavior in the workplace.

COMPLAINT REPORTING AND INVESTIGATION

The City is committed to diligently enforcing its harassment policy by promptly and impartially investigating all complaints. When harassment is discovered, the City shall take appropriate disciplinary action, up to and including termination. The complaint procedure is designed to deal with complaints in a fair, discreet and timely manner to:

- Determine if the conduct alleged in the complaint took place and constitutes harassment which violates federal and/or state law and City policy or constitutes harassment in the form of inappropriate or offensive behavior which violates City policy.
- Stop the offending behavior.
- Restore the complainant's working environment.
- Take steps to prevent retaliation and repetition of the harassment.
- Educate, sanction, or discipline the harasser consistent with the seriousness of the offense.

It is every employee's and official's responsibility to ensure that his/her conduct does not include or imply harassment in any form. If, however, harassment or suspected harassment has or is taking place:

1. An employee must immediately report the harassment or suspected harassment, in writing, to their supervisor immediately. If the supervisor is the source of the alleged harassment, or is so closely associated with the source of the harassment that the employee does not feel comfortable reporting to that person, the employee may report the complaint to the ~~City Business Manager~~ **Human Resources Manager**. Employees should not wait to report the harassment or discrimination until the acts become so pervasive or offensive that they create a hostile working environment.
2. Any supervisor or department manager who learns of or receives a complaint of harassment is obligated to report it to the ~~City Business Manager~~ **Human Resources Manager**.
3. Each complaint shall be fully investigated and a determination of facts and an appropriate response will be made on a case-by-case basis.

If it is determined that harassment has occurred, the City shall take appropriate corrective disciplinary action, which may include but not limited to, verbal and/or written warnings, probation, suspension, demotion and/or termination.

No employee shall be subject to any form of retaliation or discipline for pursuing a harassment complaint, and no witnesses shall suffer retaliation as a result of their involvement in the investigation. The City of Farmington will not tolerate harassment or any form of retaliation against an employee who has either instigated or cooperated in the investigation of alleged harassment. Disciplinary action will be taken against those who are found to have violated the City's policy against such retaliation.

If the investigation does not find that harassment occurred or that the alleged incident(s) did not constitute harassment, the matter shall be referred back to the supervisor for further appropriate action. For example, if workplace misconduct may have occurred but not harassment, the supervisor of appropriate individual shall determine the manner in which to act upon the findings set forth in the investigation report.

An employee found to have reported harassment in bad faith or intentionally or willfully falsely reported harassment shall be subject to disciplinary action.

Chapter 3 -- General Employment Policies

AT-WILL EMPLOYER

The City of Farmington is an at-will employer. This means that the City of Farmington or any city employee may terminate the employment relationship at any time for any reason with the understanding that neither has an obligation to base that decision on anything but his or her intent not to continue the employment relationship.

No policies, comments, or writings made herein or during the employment process shall be construed in any way to waive this provision.

All City employees should understand that this policy is not intended to create any contractual or other legal rights. It does not alter the city's at-will employment policy and does not create an employment contract for any period of time.

VACANCIES/JOB ADVERTISING

It is the intent of the City of Farmington to hire and promote the most qualified applicants for all vacant positions. The City of Farmington shall publicize vacancies to be filled in order to encourage qualified persons to apply for employment. In the event of a job opening, the position or positions open will be announced and posted in ~~the business office~~ City Hall, and on the city's website at least ten (10) days prior to the deadline for receiving applications. Copies of the job announcement will be distributed to city departments and as appropriate, to public and private employment agencies, local newspapers and other sources which might recruit applicants. Recruitment resources will be notified at least ten (10) days prior to the predetermined cut-off date for receiving applications.

Applications for employment will be accepted from anyone legally entitled to work in the United States who wishes to apply for employment on forms provided by the city. Application forms are available in the business office at City Hall.

All information provided on the application must be true and correct with the provision of false information being grounds for elimination of consideration for hiring and/or dismissal from City employment.

Applications for full-time city employment will not be accepted from anyone under eighteen (18) years of age. Except as otherwise provided by Arkansas law, the ~~City Business Manager~~ Human Resources Manager, Police Chief and Fire Chief are authorized to make the final decision with respect to hiring new employees and promoting existing employees.

Hiring Procedure:

1. The affected department shall formulate a job announcement. The ~~City Business Manager~~ Human Resources Manager shall approve the announcement.
2. The job announcement will be distributed to all City departments for a posting of a minimum of 10 days.
3. Simultaneously, an ad will be published in the paper and posted on the city website at least 10 days prior to the application cut off date. The City may also use other means believed necessary to advertise for positions in order to attract qualified candidates.
4. Based on the job description a pool of candidates is selected.
5. The department manager of the department in which the vacancy exists shall be responsible for arranging the interviews and the process to follow.
6. After the interview, if an offer of employment will be extended, the prospective employee will be asked to sign an "authority to release information form" and complete the required information for criminal record check and references will be checked.
7. If the first offer of employment is rejected the department manager will decide to hire another candidate or reopen the position.
8. If the same position is open within a year of advertising, the department manager may opt to select a candidate from the pool that had previously applied without re-advertising for the position.

Once a candidate accepts the employment offer all other candidates are notified that they were not selected.

EMPLOYMENT APPLICATION AND RESUMES

The City of Farmington relies on the accuracy of the information contained in the employment application and resumes submitted by the prospective employee, as well as other information provided throughout the hiring process and employment. Any misrepresentation, falsifications or material omissions in any of this information may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, in termination or other disciplinary measures.

POST OFFER, PRE-EMPLOYMENT PHYSICALS

Post offer, pre-employment physicals will be required for every applicant for the City in a permanent employment position that requires being able to lift 40 pounds or more, standing, running or walking for long periods of time and work that requires physical exertion on a regular basis while complying with all ADA guidelines. Such examinations shall be paid for by the City. The examinations shall be performed by licensed physicians selected by the ~~City Business Manager~~ Human Resources Manager. A summary report of the examining physician shall be provided to the department head as to whether the applicant can perform the job sought and what, if any, restrictions are necessary to determine any restructuring or accommodations. Although the physician may make the medical determinations, their determinations are only recommendations; final authority to hire rests with the City. Only in cases of emergency may the applicant begin work prior to the post employment job offer medical examination, but employment is subject to the applicant's passing such examination.

Reports and records of all physical, psychological and mental exams shall be kept in the offices of the physician or mental health practitioner with only a summary report provided to the ~~City Business Manager~~ Human Resources Manager to be kept in a confidential file apart from the individual's personnel file. The City may share such information only in limited circumstances with supervisors, managers, first-aid and safety personnel, government agencies investigating compliance with ADA, state workers' compensation offices, state second injury funds, workers' compensation insurance carriers, and health care professionals when seeking advice in making reasonable accommodation determinations and for insurance purposes. Should there be a dispute concerning the exam, or should a supervisor be informed as to the need of reasonable accommodation including job restructuring, the report shall be made available to the necessary legal and supervisory or administrative personnel within the City Government.

FITNESS FOR DUTY EXAM

Employees who, due to mental or physical disabilities, are rendered unable to perform their essential job functions with or without reasonable accommodations who pose a direct safety threat to themselves or others shall be subject to a fitness for duty examination. Based on the finding of the exam and other job restructuring factors, the department head shall take such action that is necessary to ensure that the requirements of the individual's position are satisfied.

THE OMNIBUS TRANSPORTATION EMPLOYEE TESTING ACT OF 1991

It is the City of Farmington's intent to comply with all regulations and requirements of the Omnibus Transportation Employee Testing Act of 1991. City employees required to have a Commercial Driver's License (CDL) must comply with all regulations in the 1991 Omnibus Transportation Act. The Act requires alcohol and drug testing for all city employees whose jobs require a CDL. These tests include pre-employment, post-accident, random, reasonable suspicion, and return-to-duty and follow-up testing. The City of will not permit an employee who refuses to submit to requisite testing to perform or continue to perform any activity that requires a CDL. All CDL drivers must obtain from the City the City's written substance abuse policy. CDL drivers

are required to read this material and sign a statement acknowledging that they have received a copy of the city's Substance Abuse Policy.

DRUG AND ALCOHOL TESTING

The City of Farmington has a responsibility to ensure safe-working conditions for its employees and a productive City workforce unimpaired by chemical substance abuse. To satisfy these responsibilities, City is committed to maintaining a work place that is free from the effects of drugs, alcohol, or other performance-impairing substances. All employees are expected to obey all laws regarding the use of illegal drugs or alcohol. The City prohibits the possession, unlawful manufacturing, distribution of illegal drugs or the abuse of alcohol or prescription drugs while on City premises during work hours. Any employee violating this policy will be subject to appropriate discipline, including termination. Any City employee who violates this substance abuse policy, or who is convicted of an alcohol or drug violation, will be subject to disciplinary action, up to, and including dismissal.

All those seeking employment with the City of Farmington will be subject to a pre-employment drug test.

Employees will be tested when an accident occurs on company premises or time and results in an injury to anyone that requires outside medical attention, or when the employee is determined to have caused or contributed to that accident.

Employees will be tested if involved in an accident resulting in physical damage to any business property, product, equipment or machinery and/or any property on the business premises.

Employees will be tested anytime there is an accident by a driver of a motorized vehicle including personal vehicles used while conducting business; with the exception of accidents caused by deer or other animals.

Testing will be conducted when there is information about an employee's appearance, conduct or behavior that would cause a reasonable person to believe that the employee has used or may be impaired by drugs or alcohol.

All employees will be subject to random testing. Random testing will be conducted on a neutral selection basis with all employees having an equal chance of being selected. Employees upon notification will be required to arrive at the testing facility within 30 minutes. Failure to report in specified time will result in a refusal to test and will be treated as a positive drug test. **The City of Farmington follows all Federal law regarding the dispute of background and drug testing results.**

FITNESS FOR DUTY

While the current abuse of drugs or alcohol is not a protected disability under the Americans with Disabilities Act (ADA), **Opioid Use Disorder (OUD) is recognized as a protected disability under ADA regulation.** The City will not hire anyone who is known to currently abuse drugs or alcohol. Furthermore, all employees are expected to report to work in a fit condition to perform their duties. Employees on official business or representing the City on or off of the work place are prohibited from purchasing, transferring, using or possessing illegal drugs or from abusing alcohol or prescription drugs in any way that is illegal. An employee reporting or returning to work whose behavior reflects the abuse of alcoholic beverages or drugs may be referred for a medical evaluation to determine fitness for work. Failure to report for an evaluation or follow the recommendations of the City will result in appropriate disciplinary action, including termination.

NOTIFICATION

As a condition of employment with the City, employees must abide by the terms of this drug and alcohol policy and report any conviction under a criminal drug or alcohol statute including DWI convictions for violations occurring on or off City premises while conducting city business. A report of a conviction shall be made within five (5) days after the conviction. Failure to report a conviction within the five (5) day period may result in disciplinary action, up to and including immediate termination.

GENETIC INFORMATION

The City shall not request or require genetic information from an individual or family member, except as specifically allowed by the Genetic Information Nondiscrimination Act of 2008 (GINA). In making requests for medical information, the city shall include the following language to the medical provider:

“The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information from an individual or family member of an individual except as specifically allowed by this law. To comply with this law we are asking that you not provide any genetic information when responding to this request for medical information. “Genetic Information” as defined by GINA, includes an individual or individual’s family members medical history, the results of an individual or family members genetic tests, the fact that the individual or family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.”

EMPLOYEE ORIENTATION

All new employees of the City will be scheduled to meet with the ~~City Business Manager~~ Human Resources Manager and department manager on their first day of work for general orientation. The department manager shall provide the following information to the new employee:

- a. Work standards and regulations.
- b. Hours of work, time sheets and any other reports required.
- c. Employee compensation shall be stated in monthly and hourly terms.
- d. Personnel Policy Manual (opportunity to read the manual, ask questions and sign acknowledgement of receipt.)
- e. Duties of the position
- f. Safety rules and procedures; location of safety and protective equipment.
- g. Tour of work area, location of equipment and supplies.
- h. Introduction to co-workers and other city staff.
- i. General schedule for the day, including lunch and breaks.
- j. When and whom to report an absence from work.
- k. Who is responsible for performance planning and review?
- l. Appointment with the ~~City Business Manager~~ Human Resources Manager to discuss and complete paperwork for:
 1. Insurance benefits (fulltime employees only)
 2. Retirement benefits
 3. Vacation and sick leave accrual and benefits (fulltime employees only)
 4. Catastrophic leave bank (fulltime employees only)
 5. New Hire Information
 6. Workplace Policy Training
 7. Direct deposit

PROBATIONARY PERIOD

The first 3 months of employment are considered a probationary period. This time is set aside to determine whether the position is right for the employee. It gives time for the employee to adjust to responsibilities and time for the supervisor to assess the employee's work. During this time, it is important for the employee to discuss any questions about the position with their supervisor. Successful completion of the probation period does not create a contractual commitment to continued employment.

Chapter 4 – Compensation and Matters Affecting Employment

ATTENDANCE

Employees shall be in attendance at their work stations in accordance with the rules and regulations established by their supervisor.

WORK HOURS

Except for police officers and firefighters, the standard workweek shall consist of forty (40) hours per week within a seven day period, unless otherwise arranged by the department manager to meet specific departmental needs. Work hours for police and fire employees shall be in accordance with state statutes and departmental regulations.

The standard workday shall begin at 8:00 a.m. and end at ~~5:00 p.m.~~ 4:00 p.m. unless otherwise arranged by the department manager to meet specific job needs. Departments may vary from this schedule based upon departmental necessity. The standard workweek is Monday through Friday. Flexible work arrangements are dependent on departmental requirements and are left to the discretion of the department manager. Flexible work arrangements allow the department manager to schedule the workweek of forty (40) hours to meet specific departmental situations.

The City reserves the right to adjust and change hours of work, days of work and schedules to fulfill its responsibility to the citizens of the City of Farmington. In an emergency, previously-scheduled hours of work, days of work and work arrangements may be altered at the discretion of the department manager. Changes in work schedules will be announced as far in advance as practicable.

Whenever possible, full-time employee work schedules shall provide a rest period (break) during each four-hour work shift. Reasonable time off for a meal will be provided. An employee cannot waive their right to "off the clock time."

Work hours in the police and fire departments will be defined in the "Standard Operating Procedures" for their department.

UNAUTHORIZED WORK TIME

Because of FLSA regulations, non-exempt employees are not to commence work prior to the scheduled starting time, work during their meal break, or work past the scheduled end of their shift without prior approval of their immediate supervisor.

FLSA non-exempt employees who work unauthorized overtime hours will be subject to disciplinary action including but not limited to suspension without pay.

COMPENSATION

Reporting and Verifying Hours Worked

Compensation for employment with the City of Farmington may be subject to the Fair Labor Standards Act. It is each employee's responsibility to monitor and record an accurate status of the hours they work per payroll period to ensure that they are properly paid for time worked.

All employees shall report their hours worked on the forms provided by the city administrative assistant. It is the employee's responsibility to complete the time sheet recording the time spent working during every payroll period and to sign each time sheet. By signing the time sheet, each employee is verifying its accuracy. Signed and completed time sheets must be turned in no later than 8:30 a.m. on Monday every other week to their supervisor for signatures. The supervisor should forward them to the ~~City Business Manager~~ **Human Resources Manager or Administrative Assistant** by 9:00 a.m. the same day to ensure that proper records are kept as to vacation, sick leave, hours worked and overtime accrued and taken.

Payroll Records

The ~~City Business Manager~~ **Human Resources Manager** shall keep and maintain a record of work attendance, vacation and sick leave earned, used and accrued; and any other leave, whether with or without pay. These records shall be available to the department heads and the individual employees shall be able to inspect their own records during normal business hours.

PAYROLL PROCEDURES AND PAYDAY

Employees are paid by direct deposit on the Friday following the close of the pay period (See section on work hours for definition of pay period). In the event Friday is a holiday, pay will be issued the last workday before Friday.

Each employee is responsible for monitoring the accuracy of each paycheck received. Any employee who believes that his/her paycheck does not properly compensate him/her for all hours worked in a given payroll period should immediately report their concern to their supervisor who will pass on the concern if needed to the ~~City Business Manager~~ **Human Resources Manager**.

All pay will be direct deposited. Arrangements can be made to have amounts deposited into up to two accounts. All documentation for this process should be made through the ~~financial officer~~ **Human Resources Manager** at the time of employee orientation.

Various payroll deductions are made each pay period to comply with federal and state laws pertaining to taxes and insurance. Each employee is required to complete an Internal Revenue W-4 Employee's withholding certificate to identify the number of state and federal income tax withholding allowances to be computed for payroll purposes. It is the responsibility of the employee to notify the business office, complete a new W-4 form, and sign and date the form if a change in payroll withholding is desired.

In addition to state and federal income tax withholding, employers are required by law to deduct from payroll, social security (FICA). At the end of each calendar year, employees will be supplied with a Wage and Tax Statement (W-2) form. This statement summarized employee income and deduction for the year. If there are any questions regarding these deductions, employees should immediately discuss them with the ~~City Business Manger~~ **Human Resources Manager**.

Additional withholdings may include, but are not limited to, dependent insurance coverage costs, garnishments, and charitable contributions. Upon written request signed by a full-time employee who is represented by a union or professional association, the City will withhold membership dues of the union or professional association from the salary of the employee. The withholding request shall be on a form provided to the employee by the City. The City will transmit all dues that are withheld under this section to the union or professional association representing the employee within five (5) days of the end of the pay period.

SALARY BASIS POLICY

The Fair Labor Standards Act (FLSA) is a federal law which requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

However, Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional and outside sales employees. Section 13(a)(1) and Section 13(a)(17) also exempt certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$455 \$684 per week. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department's regulations.

SALARY BASIS REQUIREMENT

To qualify for exemption, employees generally must be paid at not less than \$455 \$684 per week on a salary basis. These salary requirements do not apply to outside sales employees, teachers, and employees practicing law or medicine. Exempt computer employees may be paid at least \$455 \$684 on a salary basis or on an hourly basis at a rate not less than \$27.63 an hour.

Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to exceptions listed below, an exempt employee must receive the full salary for any work week in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any work week in which they perform no work. If the employer makes deductions from an employee's predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a "salary basis." If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

CITY POLICY

It is our policy to comply with the salary basis requirements of the FLSA. Therefore, we prohibit all supervisors from making any improper deductions from the salaries of exempt employees. We want employees to be aware of this policy and that the City does not allow deductions that violate the FLSA.

DEDUCTIONS FROM PAY

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for disciplinary actions. Also, the City is not required to pay the full salary in the initial or terminal week of

employment; for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave. In these circumstances, either partial day or full day deductions may be made.

What to Do If an Improper Deduction Occurs?

If you believe that an improper deduction has been made to your salary, you should immediately report this information to their supervisor or the ~~City Business Manager~~ Human Resources Manager. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

OVERTIME PAY

Overtime will be paid for hours worked in excess of 40 hours per workweek. The rate of pay for overtime shall be one and one-half (1 ½) the employee's normal hourly rate. All overtime worked by an employee must be authorized/approved by the supervisor. ~~Continued unauthorized overtime will be subject to disciplinary action up to and including termination.~~ Overtime pay policies are regulated by the Fair Labor Standard Act (FLSA). The FLSA does not require extra pay for Saturday, Sunday, holidays, ~~night work, double time pay, or regular days of rest, unless overtime hours are worked on such days.~~ If employees work on the holidays, they need not be paid at time and one-half. Under the Act, holiday and Sundays are treated as other days. ~~The Act applies on a workweek basis. An employee's workweek is a fixed and regularly recurring period of 168 hours — seven consecutive 24-hour periods. It need not coincide with the calendar week, but may begin on any day and at any hour of the day.~~

Upon the recommendation of the department supervisor and with the approval of the ~~City Business Manager~~ Human Resources Manager, compensation for overtime may be made in the form of compensatory leave to the employee. The overtime record of the ~~City Business Manager~~ Human Resources Manager shall be final with respect to the number of compensatory leave days earned for each employee. Compensatory time will be accrued at the rate of one and one-half hours for each hour of overtime actually worked in an 8-hour day. ~~If Compensatory leave is used throughout the year, the employee can continue to accrue Compensatory leave up to 80 hours.~~ In no instances can employees accrue more than eighty (80) hours of compensatory time. ~~Compensatory time must be taken within the calendar year earned and should be scheduled in the same manner required for vacation.~~ ~~The Compensatory period will run from July 1st through June 30th. Accrued time should be used prior to the last date of this period and should be scheduled in the same manner required for vacation.~~ ~~Upon termination of employment, accrued compensatory time will be paid to the employee.~~

EMERGENCY /INCLEMENT WEATHER SITUATIONS

It is the policy of the City to maintain hours of operation, which make the best use of employees and resources in serving the needs of the public. Emergency situations may from time to time necessitate the closure of City offices. Such situations shall be determined by the City Business Manager and/or Mayor after consideration of all facts. Employees are expected to work regardless of weather conditions unless the Mayor or City Business Manager declares the city offices officially closed. Any employee unable to work due to inclement weather will be charged one day of vacation or sick leave for each day he or she does not report for work unless, by arrangement with the Mayor or City Business Manager, it may be considered compensatory time off.

CALL PAY

"Call pay" is defined as a predetermined amount of compensation paid to an hourly employee when the employee is scheduled for stand-by duty. The "call pay" will be ~~\$25~~ \$30 per day, it will be paid biweekly. This is nonrestrictive call in that the employee must be accessible by telephone. "On-site" presence of the employee must be paid as regular hours worked or overtime. If an employee is called in, a minimum of 3 hours, in addition

to the on-call pay will be paid. It is the policy of the City of Farmington to compensate employees who are required, in addition to their normal work schedule, to be available for duty on weekends and holidays on a call basis.

TRAINING

The City of Farmington is committed to continuing an on-going training program for all employees. However, in addition to formal training provided by the city for various jobs, each employee has a responsibility of ascertaining for himself that he is possessed with sufficient training to enable him/her to perform his/her job. If the employee feels that additional training is needed, he/she should notify his/her supervisor who will forward the request to the ~~City Business Manager~~ Human Resources Manager for approval. Expenses incurred for approved on-the-job training may be assumed by the City unless such training or certification is a prerequisite to employment.

The attendance of employees at seminars and training programs is considered part of continual professional development and of great benefit to the city and the employee. Attendance for these meetings must be pre-approved by the employee's immediate supervisor and the ~~City Business Manager~~ Human Resources Manager.

The expenses incurred through on-the-job training and through formal training courses arranged by the city shall be assumed by the city. If employees are required to attend meetings at a location requiring an overnight stay which will require travel time in excess of the employee's normal work day, overtime will be paid on the time over the employee's normal base work period (in excess of forty (40) hours). A copy of the training session's agenda will be required to verify hours worked. Training which is not required by the city will not be compensated as work time.

CONTINUED EDUCATION REIMBURSEMENT

The City of Farmington values continuous and professional growth. It is for this reason that the city participates in the employee continued education reimbursement program. Under this program, employees have the ability to continue their education and/or receive additional certifications with reimbursement. Reimbursement covers fees associated with but not limited to tuition, textbooks, lab and technical fees. The city will not reimburse for student loan repayment.

Eligibility:

1. Must be a full-time employee with at least 6-month of continued service.
2. Coursework must be directly related to the employee's current role or future role within the city.
3. Final course grade must be a B or higher to be eligible.
4. The employee must hold a position at the city for 1-year following course reimbursement. If the employee chooses to leave prior to this 1-year requirement, all reimbursed fees will be owed back to the city (see Memorandum of Understanding in Appendix A).

Reimbursement Processes will need to be followed accordingly. Failure to follow tuition/fee reimbursement procedures may result in delayed reimbursement or expenses not being reimbursed.

1. Request is sent to the Human Resources Manager
2. Determination will be made promptly after receiving request
3. If approved, the employee will be notified and will sign Memorandum of Understanding which includes requirements for reimbursement. In the event the tuition reimbursement is denied, the employee will be informed of the denial reason.

4. Once the course has been completed, the employee will provide the Human Resources Manager with final grades and invoice.
5. Reimbursement will be processed within 30 days of receiving documentation listed on line 4.

Travel and Lodging

Employees who use their personal vehicles to attend training programs will be reimbursed for expenses at the same rate per mile paid to employees of the United States Government at the time of the scheduled trip. If transportation is provided by the City of Farmington, the employee will be reimbursed for actual costs incurred to operate the motor vehicle. The cost of airline transportation will be paid by the City of Farmington if approved by the employee's supervisor and the City Business Manager. The City of Farmington will reimburse employees for the cost of overnight lodging or pay the cost in advance provided a Travel Advance Form is completed and approved by the employee's supervisor and submitted to the City Business Manager at least ten (10) days prior to the scheduled trip.

Meals

Employees will be reimbursed for meals and incidental expenses at a per diem rate in accordance with the most current guidelines of the Internal Revenue Service for the area in which the employee is traveling. The per diem rate will be reduced for meals that are provided as part of the registration fee for the program. Employees will not be reimbursed for entertainment expenses, alcoholic beverages, or costs incurred for activities unrelated to the employee's job or the training program.

EMPLOYMENT OF RELATIVES

The employment of relatives in the same division of a department is prohibited and in no case shall an employee supervise another member of his immediate family. Immediate family is defined a spouse, children, mother, father, sister, brother, guardian, grandparents, grandchildren, aunt, uncle, nephew, niece, plus the various combinations of half, step, in-law, and adopted relationships that can be derived from those named.

UNEXPLAINED ABSENCE

An employee is expected to promptly notify his or her supervisor in the event of an absence. Employees who are absent without approved leave and who do not notify their supervisor within a period of two (2) consecutive work days, shall be terminated unless a reasonable explanation of the facts and circumstances of the unauthorized absence are provided to the supervisor and the ~~City Business Manager~~ Human Resources Manager.

PERFORMANCE EVALUATIONS

The purpose of the performance appraisal is to provide a process by which the job performance of each employee is appraised for purposes of development, merit review, and possible wage/salary growth. Performance evaluations may be done at any time at the discretion of the department manager. The objective of the performance appraisal process is:

1. To enhance individual employee job performance and ensure agency operations
2. To summarize both formal and informal performance discussions held with the employee, job performance, and ensure city operations
3. To document performance areas in which employees do well and those areas which require improvement and to establish performance goals and plans to correct performance shortcomings.
4. To identify and enhance employee career goals and potential job advancement
5. To link employee performance with wage/salary consideration

To ensure that employees perform their jobs to the best of their ability, it is important that they be recognized for good performance and that they receive appropriate suggestions for improvement when necessary.

Consistent with this goal, an employee's performance should be evaluated by the employee's supervisor on an "on-going basis". Each employee will receive an annual evaluation before December 15th.

Employees are eligible for consideration for job performance salary increases. Wage and salary increases are granted on an individual basis. **Increases are not automatic or related to tenure.** Employees are evaluated on performance, productivity, quality of work, attendance, attitude and other job-related factors. Job performance salary increase shall be granted only to those employees who have demonstrated, at a minimum, a satisfactory or above standard level of job performance. Employees shall normally be eligible for consideration for a job performance salary increase after their first three months of employment and at the time of their annual performance review. The salary increase effective date is subject to the discretion of the department head and/or mayor. This method of performance evaluation and determining eligibility for salary increases in no way alters the City of Farmington's at-will employment status as described on page 2 of this Personnel Policy and Procedures Manual.

JOB SAFETY

The City of Farmington strives to provide a healthy and safe working environment. Safety is largely the use of good judgment and careful work habits. If an employee is unsure of how to perform a task safely, he should ask his supervisor or department manager for the correct method.

Unsafe conduct constitutes misconduct. The following safety rules should always be observed:

- Follow all departmental safety rules.
- Use all mechanical safeguards on or for employee equipment.
- Immediately cease using and report any faulty or potentially faulty equipment to the supervisor or department manager.
- Immediately report any unsafe or potentially unsafe working condition or equipment.
- Immediately report any and every accident to the supervisor or department manager.
- Violence or threats of violence are strictly prohibited and, if confirmed, may be grounds for immediate termination.
- Examples of such conduct include harassing or threatening phone calls, email or written communication directed towards an employee or his or her friends/family members; stalking; and the destruction of personal and/or City property.
- Dangerous items of any nature such as weapons, explosives, or firearms will not be permitted on City property, or in an employee's possession while conducting City business offsite. (With the exception of the police department employees.) Of course, theft of any kind will not be tolerated.

REFUSAL TO WORK

A city employee's commitment is to public service. Any work stoppage, slowdown, strike or other intentional interruption of the operations of the city shall cause the employee to forfeit his or her employment and result in the termination of the employee from the City of Farmington.

RESIGNATION/TERMINATION

Employees desiring to terminate their employment relationship with the City of Farmington are urged (but not required) to notify the city at least two (2) weeks in advance of their intended termination. Such notice should preferably be given in writing to the employee's supervisor who will notify the City Business Manager. Proper notice generally allows the city sufficient time to calculate all final accrued moneys due the employee for his or her final paycheck. Without adequate notice however, the employee may have to wait until after the end of the next normal pay period to receive such payments.

Employees who plan to retire are urged to provide the city with a minimum of two (2) months' notice. This will allow ample time for the processing of appropriate pension forms to ensure that retirement benefits to which an employee may be entitled to, commence in a timely manner.

As mentioned elsewhere in this manual, all employment relationship with the City of Farmington is on an at-will basis. Thus, although the city hopes that the relationship with employees are rewarding, the city reserves the right to terminate the employment relationship of any employee at any time, with or without cause.

EXIT INTERVIEWS

Employees whose employment has ended may be requested to participate in an exit interview and sign an exit interview form **provided by the Human Resources Manager** at the time of termination. During the interview, matters of final pay and benefits will be discussed, and the employee will be required to return any City property in his/her possession or which was entrusted to him/her.

JOB DESCRIPTIONS

Employee job descriptions are prepared according to duties and qualifications required for successful job performance. Job descriptions include the following: a job summary, including supervision exercised by the employee; supervision received by the employee; prequalification requirements for employment in the position; specific job duties and responsibilities; necessary special knowledge, skills and abilities required by the position; tools and equipment used; physical demands; and work environment. Job descriptions are reviewed periodically and may be revised when the duties of the position are changed and a new description shall be prepared for each new position.

Upon hire, each new employee shall be required to sign their job description as acknowledgment that they understand the duties and responsibilities of the position and agree to perform such duties to the best of their ability.

In the event a current employee is appointed to or accepts a different position within the City, the employee shall be required to sign a new job description reflecting the duties, responsibilities, and requirements of the new position.

Chapter 5 – BENEFITS

SALARY

The City of Farmington assigns each regular full-time position a pay grade. The current salary schedule is attached as Appendix B. The employee's pay is determined by the pay grade, as well as the step in the salary plan. The Mayor in conjunction with the City Business Manager will be responsible for administration of the salary plan. A review of the plan will be conducted each year as a part of the budget preparation process.

Recommendations for change will be made to the City Council during consideration of the annual budget. Salary for part-time positions is recommended by the appropriate department manager and approved by the Mayor or City Business Manager.

Pay increases are to be awarded on the basis of performance as determined by the department manager. In no case shall the pay increase be considered automatic.

Increases will be considered each year for all personnel going from A to B, B to C thru G. Upon reaching Step G, increases to H, I, J, K, L, and M will be considered every two years. In alternate years where a merit increase would not be applicable, a one-time bonus could be initiated by the City Council. All increases are based on job performance. ~~Any increase will be effective on January 1st.~~ Each department manager is responsible for determining levels of performance for his or her personnel which are worthy of increases. It is expected that the department managers will design performance standards for any given grade in a manner that will ensure that standards increase as tenure increases.

All increases set out in this policy are contingent upon sufficient funds being available to meet all the City's obligations. Using this plan the department managers should be able to determine salary needs at the beginning of the budget process.

The department manager, upon approval of the Mayor, is authorized to move an employee to one greater step without the authorization of the City Council, provided sufficient monies have been budgeted. The Mayor is authorized to move an employee's position up one grade or down one grade without approval of the City Council.

The City Council may, if funds are available, choose to grant cost of living increases to City employees. When those increases are granted they will be granted to all employees without restriction. Usually cost of living increases are considered by the City Council during the budget process.

VACATION

The City of Farmington encourages and requires each regular, full-time employee to take an annual vacation entitlement as paid time away from work. This provides a restful break in the year-round routine and supports the city's goal to promote the health and wellbeing of its employees.

Vacation must be earned before it is taken and no one may take vacation leave unless one (1) year of full-time service has been completed. (Should an employee need to take vacation time prior to their first anniversary, recommendation from the department supervisor and approval from the ~~City Business Manager~~ **Human Resources Manager** must be obtained). All full-time city employees who have been employed by the city for one (1) year shall be entitled to five (5) days of vacation leave with pay. The City Council, based upon an individual's work position/job, may grant additional vacation leave. The schedule below outlines the accrual basis for vacation leave for all non-sworn employees:

<u>Years of Service</u>	<u>Accrual Rate</u>
Less than 1 year	5 days per year
1 year to 5 years	10 days per year
6 years to 10 years	15 days per year
After 10 years	20 days per year
After 20 years	25 days per year

The amount of personnel off at any time will be governed by the department supervisor and/or **Human Resources Manager** ~~City Business Manager~~. Employees should notify their department supervisor at least two weeks in advance of being absent for vacation time. Vacation time may be taken in increments no less than 4 hours. An employee shall not take more than two (2) consecutive weeks of his or her vacation at any one time except with recommendation of the department supervisor and/or approval of the City Business Manager.

Pursuant to Ark. Code Ann. §14-52-106, each sworn employee of the police department shall be granted an annual vacation of not less than fifteen (15) working days with full pay. For the Fire Department, Pursuant to Ark. Code Ann. §14-53-107, each employee shall be granted an annual vacation of not less than fifteen (15) days with full pay.

For sworn employees of the police department and fulltime employee of the fire department vacation will be accrued as follows:

From hire date forward:	1.25 days per month (as designated by Arkansas State Law)
After 10 years of service:	1.66 days per month
After 20 years of service:	2.09 days per month

For 24 hour shift employees:

From hire date forward:	16 hours per month
After 10 years of service:	18 hours per month
After 20 years of service:	20 hours per month

Employees who choose not to use all earned vacation time in a calendar year may choose to carry forward into the next calendar year a maximum of thirty (30) earned vacation days or the employee may choose to receive pay for a maximum of five (5) days and carry forward twenty-five days (25) days at the end of the calendar year. Pay will be at the employee's regular hourly rate of pay. If an employee fails to use their remaining vacation time, as per the above schedule, the employee will forfeit the vacation time and will not be allowed to carry forward or receive pay for any days in excess of the above described.

If a city holiday occurs during the calendar week in which a vacation period is scheduled for an employee, the employee's vacation will be extended for one (1) additional working day.

~~Upon termination of employment with the city, an employee will be paid for the number of accrued vacation days should any exist.~~ **Accrued and unused Vacation time will be paid out upon termination of employment if the employee has completed at least one year of service. Employees who have not met this requirement will not receive a Vacation payout.** Accrued vacation time is determined by the number of full months worked in the calendar year of termination.

HOLIDAYS

All full-time employees shall be entitled to the following holidays for which they will be paid at regular rate of pay.

- New Year's Day
- Martin Luther King Jr. Day
- President's Day
- Memorial Day
- Fourth of July
- Labor Day

Veteran's Day
Thanksgiving Day
Friday after Thanksgiving Day
Christmas Day
Additional Christmas Holiday (determined by Mayor/City Business Mgr.)
Personal Day

If a scheduled holiday falls on a Saturday or Sunday, the holiday will be observed on the preceding Friday or the following Monday to conform to national observance. If a company paid holiday falls during an employee's scheduled vacation, the holiday will not be counted as vacation time and the employee's vacation may be extended by one (1) additional day. If an employee takes holidays not observed by the city, these holidays will be charged against personal leave or vacation pay at the designation of the employee.

SICK LEAVE

The City of Farmington recognizes that inability to work because of illness or injury may cause economic hardships. For this reason, the city provides paid sick leave to full-time employees. All eligible employees accrue sick leave at the rate of 1 2/3 working days per month. (*Pursuant to Ark. Code Ann. §14-52-107, Ark. Code. Ann 14-53-108 relating to police and fire employees.*) 24 hour shift firefighters earn 40 hours per month.

Employees shall be eligible to utilize accrued sick leave for personal illness or physical incapacity, with or without the necessity of medical, dental or optical appointments. Employees shall also be eligible for sick leave upon the illness or injury of an immediate family member which requires the employee to provide care that is otherwise unavailable for the family member.

Any sick leave days accumulated which are not used in any calendar year may be carried over as accumulated sick leave days for the succeeding calendar year up to a maximum of sixty (60) days. Employees are encouraged to accumulate sick leave so it is available in the event of a longer illness.

An employee may be eligible for sick leave days for the following reasons:

1. Personal illness or physical incapacity
2. Illness in the immediate family which would require the employee to take care of the family member(s)
3. Medical, dental, and optical visits

Sick leave may be taken increments of not less than (1) hour per occasion: During sick leave, an employee must maintain direct daily contact with the immediate supervisor. The supervisor must be contacted a minimum of two (2) hours before the scheduled shift. Sick leave benefits are contingent upon the employee following this policy. Failure to do so may result in the loss of paid sick time.

If an employee must be off work for three (3) or more consecutive days, the employee must supply the supervisor/City Business Manager with a written physician's verification of the reason for the employee's absence. Failure to provide this documentation will result in the sick leave days being unpaid and possible termination. Should an employee use all of their available sick leave for an illness, the employee may use unused (not accrued) vacation time.

For all employees, upon retirement (according to the Arkansas Attorney General, "retirement" means that he/she will be eligible to begin receiving a pension from a retirement system. Ark. Op. Atty. Gen. No. 2002-

218) or death of an employee, the employee or the employee's estate, whichever the case may be, shall be paid the accrued sick leave at the rate of pay the employee was receiving at the time of retirement or death. The maximum amount of accrued sick leave paid upon retirement or death of an employee shall not exceed sixty (60) days.

Employees of the City of Farmington are not permitted to use sick leave while also performing work for a secondary employer.

CATASTROPHIC LEAVE BANK PROGRAM

Purpose:

The Catastrophic Leave Bank Program allows eligible employees to donate annual leave, compensatory time, and sick leave to assist eligible City employees through medical emergencies, injuries, and illnesses after they exhaust all of their earned sick leave, annual leave, holiday, and compensatory time due to a catastrophic illness or injury incurred by the employee. Subject to policies developed by the City, the specifics of the program are:

Definition of Catastrophic Illness: A medical condition of an employee, as certified by a physician which requires an employee's absence from duty for more than 20 work days and which results in a substantial loss of income for the employee because of the exhaustion of all earned sick, annual holidays, and compensatory leave time. The City defines a medical condition as a personal emergency limited to catastrophic and debilitating medical situations, severely complicated disabilities and severe accident cases which cause the employee to be incapacitated, require prolonged period of recuperation and require the employee's absence from duty as documented by a physician.

Policy:

Eligibility Requirements: To be considered for benefits under the program, the employee must:

- Be a full time employee
- Have at least one year of service with the City.
- Have exhausted all available accrued sick, annual holiday, and compensatory time.
- Have not been disciplined for any misuse of leave during the previous year.
- Have a current "Physician's Certification" of a medical condition which prevents the employee from performing the employee's job duties for a prolonged period of time resulting in a substantial loss of income.
- Must have contributed to the catastrophic leave bank.

Conditions not covered: Common illness or injury, normal childbirth and the associated recovery period, elective surgery or other elective medical procedures are not intended to be covered by this policy.

Leave will not be granted in cases where an applicant is fully covered by an income protection insurance policy, or other similar coverage.

Donations to Catastrophic Bank: Employees may not seek donations individually. Donations are voluntary, confidential and nonrefundable. An employee may not donate to the bank if such a donation will reduce their combined accrued sick and annual leave balances to less than forty hours. Employees may donate to the bank in hour increments. Once the donated hours have been transferred, the donor forfeits any future claims to these hours.

Use of Catastrophic Leave and Limits of Donated Time: While an employee is using donated leave, they shall be entitled to continue all benefits. An employee may be eligible for up to a maximum of 6 months of leave under this program. Eligibility to utilize donated leave ends on the date the employee has satisfied the waiting period for long term disability benefits or has been approved for a disability retirement benefit, whichever occurs earlier. If the employee's medical condition is covered by Workers' Compensation, eligibility to remain on catastrophic leave ends when the attending physician concludes that the employee has reached maximum medical improvement.

Catastrophic Leave Bank Committee: The committee shall consist of the Mayor, **Human Resources Manager**, City Business Manager, Police Chief, Fire Chief and one hourly employee. The Committee shall elect a chairperson from its members.

The Committee shall be responsible for the proper administration of the CAT Bank. All decisions made by the Committee will be reported to the City Council in writing at the next City Council Meeting.

Procedure:

Application Process: An employee that is eligible for catastrophic leave under this policy must apply by completing a Catastrophic Leave Request Form. This form can be acquired from the **City Business Manager** **Human Resources Manager**. If the employee is physically unable to complete this form, a family member/designee may submit the form on the employee's behalf. This form includes a section for medical certification which must be completed by the employee's physician. Incomplete applications will not be accepted.

Once the application is complete, it should be submitted to his/her supervisor, who will verify the eligibility status of the requesting employee and will forward eligible requests to the Business Manager. The Committee's decision to approve or deny a request for leave may be appealed to the City Council.

NOTICE: This is a discretionary program and may be revoked or altered at any time. Participation in this program is voluntary. Payment for CAT Leave is dependent upon the City employees' contributions into the bank. Payment for leave cannot exceed the total number of hours donated by employees to the program.

BEREAVEMENT LEAVE

In the event of a death in the employee's immediate family, the employee will be given time off, with pay, to make arrangements and/or attend the funeral. Bereavement leave with pay, up to a maximum of three (3) calendar days, will be granted to all city employees in cases of death or in the circumstances of death in the immediate family. The employee will discuss with their supervisor the amount of time needed to resolve this personal situation.

Immediate family is defined as: spouse, children, step-children, son/daughter-in-law, siblings, spouse's immediate family, employee's grandparents and family members who live in the employee's household.

Absences for funerals other than immediate family may be charged to vacation time or sick leave.

MATERNITY LEAVE

Employees affected by pregnancy, childbirth or related medical conditions will be treated the same for all employment-related purposes as persons with non-pregnancy-related health impairments, illnesses or injuries.

An employee's accrued sick leave and vacation leave will be granted for maternity use, after which leave without pay must be used, in accordance with the City's Family Medical Leave Policy, if applicable.

In the event the Family Medical Leave Act is inapplicable, the employee may use accrued sick leave and/or accrued annual leave as required to the extent of exhaustion of sick leave and annual leave benefits.

COURT DUTY LEAVE

Employees will be granted leave with pay for witness (only where subpoenaed) or jury duty. Employees are also permitted to retain the allowance for services from the court for such service. To qualify for jury or witness (only where subpoenaed) duty leave, the employee must submit to the ~~City Business Manager~~ **Human Resources Manager** a copy of the summons or other relevant court related paperwork as early as possible upon the receipt thereof. In addition, proof of service must be submitted to the ~~City Business Manager~~ **Human Resources Manager** when the employee's period of jury or witness duty is complete.

Any employee who initiates court action, volunteers to appear as a witness, or is a defendant in a non-city related case will be excused from work for necessary court appearances. The employee shall not be entitled to pay from the city. However, leave without pay or vacation leave with pay may be granted for this purpose.

UNIFORMED SERVICES

Certain rights to re-employment after service in the uniformed services, as well as provisions relating to pension and health benefits are established in the Uniformed Services Employment and Re-employment Rights Act of 1994, 38 USC 4301 et seq., and in Ark. Code Ann. § 21-4-102. It is the City's policy to honor and comply with the provisions of those statutes.

The Uniformed Services Employment and Reemployment Rights Act (USERRA), prohibits discrimination against persons because of their service in the military. USERRA prohibits an employer from denying any benefit of employment on the basis of an individual's membership, application for membership, performance of service, application for service, or obligation for service in the uniformed services. USERRA also protects the right of veterans, reservists, National Guard members, and certain other members of the uniformed services to reclaim their civilian employment after being absent due to military service or training.

A summary of rights afforded by the Uniformed Services Employment and Reemployment Rights Act (USERRA) is contained in a poster developed by the U.S. Department of Labor and re-printed in Appendix A of this Handbook.

As an employer, the city shall provide to persons entitled to rights and benefits under USERRA a notice of the rights, benefits, and obligations of such persons and such employers under USERRA.

In addition, under Ark. Code Ann. § 21-4-102, employees who are members of a military service organization or National Guard unit shall be entitled to a military leave of fifteen (15) days with pay plus necessary travel time. As mentioned below, the FLSA provides further rights to family members of military personnel. After 15 days the employee shall be placed on extended military leave without pay, and shall not accrue vacation or sick leave hours during military leave.

FMLA

The Family Medical Leave Act (FMLA) of 1993 requires cities with fifty (50) or more employees to offer up to twelve (12) weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons. The FMLA also allows an employee who is the spouse, son, daughter, or parent, or nearest blood relative of an

injured Armed Services member to take the 12 weeks of unpaid leave plus an additional 14 weeks, for a total of 26 weeks. Eligible city employees may take unpaid leave for the following reasons:

- The birth and care of the employee's child;
- The placement of a child into an employee's family by adoption or by foster-care arrangement and to care for the newly placed child;
- for spouse, son, daughter, or next of kin of an eligible service member to care for an injured service member that is seriously injured or ill in the line of active duty, up to 26 weeks during a "single 12-month period;"
- The care of an immediate family member (spouse, child or parent, but not a parent "in-law") who has a serious health condition;
- The inability of a city employee to work because of a serious health condition which renders the employee unable to perform the essential functions of his or her job;
- And for any qualifying exigency when the employee's spouse, son, daughter, or parent is a covered military member (on active duty or is notified of an impending call to active duty) in support of a contingency operation.

You must conclude leave for the birth of a child or for adoption or foster care within twelve (12) months after the event. However, leave may begin prior to birth or placement, as circumstances dictate.

Leave entitlements for medical reasons are predicated upon the existence of a serious health condition suffered by you or an immediate family member. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves: Inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider for a chronic or long-term health condition that is so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days, and for prenatal care.

Generally, a condition will be considered a serious health condition if the condition or its treatment causes an employee to be absent from work on a recurring basis or for more than three calendar days.

The Family Medical Leave Act (FMLA) requires that the City maintain the health coverage of an employee eligible for FMLA under any group plan during the time the employee is on FMLA leave.

Working for a secondary employer while on FMLA leave may raise concerns about the validity of the FMLA claim and is therefore discouraged.

FMLA Eligibility

To be eligible for the FMLA benefits employees must: 1) be employed by the City for at least one year; and 2) have worked 1250 hours over the previous twelve (12) months preceding the date of the leave is requested to begin. An employee returning from fulfilling his or her National Guard or Reserve military obligation shall be credited with the hours of service that would have been performed but for the period of military service in determining whether the employee worked the 1,250 hours of service.

Employees are required to use all sick leave they have accrued, prior to going on leave without pay. The City shall not require the use of annual leave as part of family medical leave. The employee, at the employee's option, may use annual leave as part of family medical leave. Such paid leave status shall be included in the total of the 12 work weeks.

Calculation of Leave

Employees eligible for FMLA may use up to 12 weeks of leave during a 12-month period measured forward from the date the employee's first FMLA leave begins. Therefore, the 12-month period will begin on the first date FMLA leave is taken. The next 12-month period will begin on the first day FMLA leave is taken after completion of any previous 12-month period.

Use of Paid Time off Benefits

When leave is taken under the Family Medical Leave Act, you will be required to first use your available annual and accrued sick and vacation leave during the twelve (12) week family leave before becoming eligible for unpaid leave. That portion of family leave of absence which is taken using annual and accrued leave days will be with pay, according to the City's annual leave policy. Using paid time off benefits does not add to the total length of the maximum 12-week leave permitted. For example, Employee A has two (2) weeks of accrued vacation leave and two (2) weeks of accrued sick leave. Employee A requests and is granted 4 weeks of FMLA leave. This leaves Employee A with eight (8) remaining weeks of available FMLA leave.

An employee using leave for the birth of a child is required to use annual and accrued leave for leave taken for physical recovery after childbirth.

Intermittent or Reduced Leave

In circumstances where FMLA leave is sought for your own serious health condition or that of a family member, you may take leave intermittently or be placed on a reduced work schedule, if medically necessary. In addition, when you chose to use FMLA for the birth or adoption of a child, you may also take leave intermittently or be placed on a reduced work schedule. However, this may only be done with prior permission and approval of your supervisor. If you request intermittent or reduced leave status, the City may in its sole discretion temporarily transfer you to another job, with equivalent pay and benefits, if another position would better accommodate the intermittent or reduced schedule. Furthermore, if the need to use leave is foreseeable and based on pre-planned and pre-scheduled medical treatment, you should schedule the treatment in a manner that does not unduly disrupt the City's operations.

Notification

You must provide your supervisor with thirty (30) days' written notice of your need to be absent for FMLA purposes when the need is foreseeable or predictable. The **City Human Resources Manager** will provide appropriate forms on which to make known your need to be absent. However, if emergency circumstances prevent 30 days' written notification, you must notify your supervisor as soon as possible.

Leave Provisions for Spouses Both Working for the City

In the event a husband and wife both work for the City, the maximum combined leave for both spouses is 12 weeks, if FMLA leave is taken for the adoption or birth of a healthy child, or to take care of a sick parent. If FMLA leave is taken to care for an ill child, spouse, or for the employee's own serious illness, then each spouse is entitled to 12 total weeks of leave.

Job Restoration

Employees granted FMLA leave will be returned to the same position held prior to the leave or one that is equivalent in pay, benefits and other terms and conditions of employment. However, certain highly-compensated, salaried employees, although eligible for FMLA leave, are not guaranteed restoration to their positions if they choose to take leave. Such employees will be informed of this status when they request leave. If the City deems it necessary to deny job restoration for such employees while they are on FMLA leave, the City will inform the employee of its intention and will offer the employee the opportunity to return to work immediately.

Employee Benefits

During an employee's FMLA leave of absence, his/her health care benefits will continue. Both the City and the employee will be required to pay the customary portions of the monthly health premium. The employee's failure to pay his or her share of the premium may result in loss of coverage. The Finance Officer will advise the employee of the payment due dates. If the employee's payment is more than 30 days overdue, the health care coverage will be dropped by the City. Prior to dropping an employee from coverage for non-payment, the City Business Manager will provide the employee with at least 15 days' written notice before the date coverage is to cease.

If the employee unequivocally informs the City that he/she does not intend to work at the end of the leave period, the City's obligation to provide health benefits ends. If the employee chooses not to return to work for reasons other than a continued serious health condition which would otherwise entitle the employee to FMLA leave or other circumstances beyond the employee's control, the employee is required to reimburse the City the amount which it contributed toward the employee's health coverage during the leave period.

For purposes of this section, an employee who returns to work, from FMLA leave, for at least 30 calendar days is deemed to have returned to work. In addition, an employee who transfers directly from FMLA leave to retirement or who retires within the first 30 days after returning from FMLA leave is deemed to have returned to work.

An employee on FMLA leave will not be allowed to accrue employment benefits, such as vacation pay, sick leave, pension, etc. However, employment benefits which accrued up to the day on which the FMLA leave began will not be lost. The use of FMLA leave will not be considered a break in service when vesting or eligibility to participate in benefit programs is being determined.

Employees who fail to return to work on the first working day following the end of their FMLA leave will be deemed to have terminated their employment with the City, unless the employee otherwise notifies their supervisor prior to the end of the FMLA leave.

Certification

Medical certification, by a qualified health care provider, of the need for FMLA leave for medical reasons is required. A certification form may be obtained from the City Business Manager. This form should be filled out and returned to the employee's supervisor

When the leave is foreseeable and at least 30-day notice has been provided, the employee must provide the certification before the leave begins. When prior notice of the leave is not possible, the employee must provide the requested certification within 15 calendar days of the employee's departure, unless it is not practicable under the circumstances to do so, despite the employee's diligent good faith efforts. Employees who do not provide certification within these 15 calendar days must provide a reasonable explanation for the delay along with the certification.

Qualified health care providers include: doctors of medicine or osteopathy, podiatrists, dentists, clinical psychologists, optometrists, chiropractors, nurse practitioners, nurse-midwives, clinical social workers and physician assistants authorized to practice under State law and performing within the practice under State law. Qualified health care providers also include Christian Science practitioners listed with the First Church of Christ, Scientist, in Boston, Massachusetts.

Release to Return to Work

A medical doctor's release is required for all City employees who return to work from a medical leave of five (5) working days or longer, which is taken for the employee's own serious health condition. The release should contain any special instruction which includes but is not limited to physical and/or cognitive restrictions and dates of specified restrictions. Such release shall be provided to employee's supervisor prior to returning to work.

Dispute Resolution

If a disagreement occurs over the medical opinion provided by your physician, the City may require a second medical opinion, from a qualified health care provider chosen by the City. The City will pay for a second or, if necessary, a third medical opinion. In the event a third opinion is deemed necessary, the City and the employee will jointly select the third qualified health care provider. The third opinion will be considered final. Additional information and forms may be obtained from the City Business Manager.

As stated elsewhere in this manual, all city employees are employed on an at-will basis. Therefore, even if FMLA is granted, should the city be hindered by the employee's absence, it may terminate the employee during the medical leave if conditions demand replacement of an employee to fill the position. Conversely, the employee may also terminate employment at any time during the leave of absence.

HEALTH BENEFITS

The City of Farmington provides a group health plan for all of its full-time employees. The plan provides major medical coverage including, health, dental, vision, and life insurance. The city pays the premium for the employee, while dependent (family) coverage is available through a payroll deduction with the employee paying the full cost of fixed cost of the dependent coverage. Insurance coverage will take effect on the first day of the month following completion of a 30-day waiting period. Enrollment information and further details may be obtained in the City Business Manager's Human Resources Manager's office.

A retired employee or official age fifty-five(55) or over who has completed twenty (20) years of service to the city and their families are eligible for retiree coverage under the city's health plan if they are otherwise qualified under Act 1279.

Pursuant to Act 1279 of 2009 (Ark. Code Ann. §24-12-132), a retired employee or official age fifty-five (55) or over who has completed twenty (20) years of service to the municipality may participate in the municipal health care plan if he or she:

1. Is eligible to receive retirement benefits from the Arkansas Local Police and Fire Retirement System, Arkansas Public Employees Retirement System or a local pension fund;
2. Pays both the employer and the employee contributions to the health care plan;
3. Is not covered at any time during retirement by another health care plan; and
4. Notifies the city within thirty (30) days after the official date of retirement of his or her intent to participate in the city's health care plan.

TRAUMA ASSISTANCE PROGRAM (TAP)

Under Act 398, First Responders to include Full-Time and volunteer Fire and Police department employees are not eligible for up to twelve (12) counseling sessions with a licensed mental health professional specializing in trauma response following a traumatic event experienced in the line of duty. The employee will have access to the 12 counseling sessions within a 12-month calendar year. However, if an eligible individual begins receiving license counseling on or after July 1 in a year, any licensed counseling visits to which the Eligible Individual does not use before the end of the calendar year may be carried over to the following calendar year (although an Eligible

Individual shall not receive more than eighteen (18) one-hour licensed counseling visits in a calendar year). Traumatic events are summarized within definition number 7 of Act 398 which would include extraordinary bodily injury or death to a person; a serious injury, death, abuse or exploitation of a minor; immediate threat of death to the public safety employee or other person; or mass casualty event.

These sessions will be fully paid for by the City of Farmington. Those who utilize this benefit will do so in strict confidentiality and no personally identifiable information shall be disclosed to City or any third party, except as required by law or with the express written consent of the Eligible Individual.

This benefit ensures that those who serve our community have access to timely, professional mental health support after critical incidents.

COBRA BENEFITS

The Consolidated Omnibus Budget Reconciliation Act (COBRA) provides that employees who are covered by the city's insurance benefits and terminates employment (either voluntarily or involuntarily) have a right to continue their coverage.

If you are the covered spouse of an employee, you have the right to choose continuation coverage for yourself if you lose group health coverage under the city's plan for any of the following reasons:

1. Death of your spouse
2. A termination of your spouse's employment (for reasons other than gross misconduct) or reduction in your spouse's hours of employment.
3. Divorce or legal separation from your spouse
4. Your spouse becomes eligible for Medicare

In the case of a covered dependent child of an employee, he or she has the right to continuation coverage if group health coverage under the city's plan is lost for any of the following reasons:

1. The death of a parent
2. The termination of a parent's employment (for reasons other than gross misconduct) or reduction in parent's hours of employment.
3. Parent's divorce or legal separation
4. A parent first becomes eligible for Medicare.

Under the law, the employee or family member has the responsibility to inform the city of a divorce, legal separation, or of a child losing dependent status under the plan. This notification must be made within sixty (60) days of the date of the qualifying event which would cause a loss of coverage. This notice must be in writing and should be sent to the City Business Manager.

When the City of Farmington is notified that one of these events has happened, it will in turn notify you that you have the right to choose continuation coverage. Under the law, you have at least 60 days from the date you would lose coverage because of one of the events described above to elect continuation coverage would otherwise be terminated. If you do not choose coverage, your group health insurance coverage will terminate in accordance with the provision outlined in the policy's manual.

If you choose continuation coverage, your coverage will be identical to the coverage provided under the plan to similarly situated employees or family members. The law requires that you be afforded the opportunity to maintain continuation coverage for three years unless you lost group health coverage because of a termination of employment or reduction in hours. In that case, the required continuation coverage is 18 months (an

extension to 29 months is available under certain circumstances to disable persons). However, the law also provides that your coverage may be terminated for any of the following reasons:

1. The City of Farmington no longer provides group health coverage to any of its employees.
2. The premium on your continuation coverage is not paid in a timely manner.
3. You become an employee covered under another group health plan (as an employee or otherwise) that does not contain a pre-existing condition limitation.
4. You first become eligible for Medicare.

You do not have to show that you are insurable to choose continuation coverage. However, you have to pay the entire premium plus 2% administrative fee for your continuation coverage. The law also says that, at the end of the 18 or 36 month continuation coverage period, you must be allowed to enroll in an individual conversion health plan provided under the current group health plan, if the plan provides a conversion privilege.

OCCUPATIONAL INJURIES

All employees of the city are covered under the Arkansas State Workers' Compensation Law. Any employee incurring a work-related injury should immediately notify his/her supervisor who will arrange for appropriate medical treatment and prepare, if the employee is incapable, the necessary reports required for the employee to be compensated.

All work-related injuries should be reported to the employee's supervisor immediately. The supervisor will then contact the **worker's compensation contact for the City (police desk sergeant) Human Resources Manager**. The **Human Resources Manager** will assist in completing the appropriate forms in the time required including an injury report. For the purposes of this policy, an injury shall not be considered reported unless the supervisor has been notified and an injury report has been completed.

Each employee shall be paid an amount, which together with the weekly Worker's Compensation benefits to which he/she may be entitled, which shall equal his/her regular base salary rate at the time of the injury. This pay rate shall continue from the date of injury for up to but not exceeding 3 months. At this time, should the employee still be unable to return to work, the employee would receive only the amount paid through Worker's Compensation.

According to the Arkansas Worker Compensation Laws and Rules of the Commission, worker compensation benefits to the injured employee shall not be allowed for the first (7) calendar days of the disability resulting from the injury, excluding the day of the injury, unless a disability extends beyond that period. If the disability does extend beyond the seventh day, compensation shall commence on the eighth (8th) day from the date of the disability. If a disability extends for a period of two (2) weeks, (14 calendar days), worker's compensation benefits shall be retroactively allowed beginning the first day of disability, excluding the day of injury.

In no case will any of the benefits contained herein be allowed or granted to an employee until an "Employee's Report of Injury" form has been completed and submitted to the **Business Office Human Resources Manager**. It shall be the employee's responsibility, or in case he/she is unable to report, the immediate supervisor's responsibility to complete this report. The report must be filled out immediately after an accident. A copy of the "Employee's Report of Injury" form is contained in the attachment section of this manual.

ACCIDENTAL INJURY

If any full-time employee is involved in an accident (not job related) and the injury sustained in such accident necessitates that the employee be absent from work, the employee shall be entitled to receive pay at a regular salary for the number of days accumulated sick leave available.

RETIREMENT

The City of Farmington provides retirement coverage through the Arkansas Public Employee Retirement System (APERS). The city provides a contribution for each employee based upon the individual employee's gross annual wages/salary. Any employee hired after 7/1/2005 must personally contribute 5% of their gross annual wages/salary. An employee is fully vested in the program upon completion of five years services with the city. Vesting means you are able to collect retirement at the age of 60. Police and fire department employees are covered under the LOPFI retirement plan.

For further information on the city retirement program and enrollment forms, please consult the **City Business Manager Human Resources Manager**.

MISCELLANEOUS LEAVE

The attendance of employees at seminars and training programs is considered part of continual professional development. Attendance of such seminars and programs must be preapproved by the employee's supervisor. If employees are required to attend these meetings at a location requiring an overnight stay or travel time in excess of the employee's normal work day, overtime will not be paid.

The City will pay all reasonable out-of-pocket expenses for lodging, travel costs, meals, etc., pursuant to its regular expense policy. However, no such expenses will be reimbursed without receipts documenting payments of such expenses.

The misrepresentation or altering of claims for reimbursement may result in the filing of criminal complaints, as well as disciplinary action.

Chapter 6 – STANDARDS OF CONDUCT

ATTITUDE AND RESPONSIBILITY

Each employee is expected to assist in any area of the operation of the city when called upon to the best of their capability and training. An employee should not assume the attitude of "it's not my job" or "I don't work there". Additionally, a positive attitude and courtesy are vitally important to relationships between employees. A pleasant attitude, a conscientious approach to work, and courtesy toward associates will benefit the individual, the work environment, and the city as a whole.

This effort – each employee taking pride in their contribution, striving to enhance the operations of the city, and utilizing their special skills and talents in a unified manner – is called TEAMWORK. Every employee who works for the City of Farmington plays an important role in the overall success of the city.

CONDUCT TOWARD THE PUBLIC

Employees of the City of Farmington shall at all times be civil, orderly, and courteous in their conduct and demeanor. Each employee should treat members of the public with respect and efficiently provide responses to their inquiries or requests. This attitude or approach to public service cannot be overemphasized. When an

employee is uncertain of the correct response to an inquiry or request from the public, he/she should refer the inquiry to the individual or the department which can provide the most satisfactory response to the inquiry. It is better to admit lack of knowledge than to provide erroneous information. In no instance should an employee comment on current or pending litigation(s).

In each contact with the public, an employee must be aware that his appearance, actions, and statements are in essence those of the city.

In dealing with the public, each employee must attempt to make his conduct on which inspires respect for both himself and the city and further, one which generates the cooperation approval of the public.

Not everyone an employee may meet in the course of his or her duties will be courteous. However, an employee should treat the public as he would like to be treated...with courtesy, patience, respect, and understanding.

COMMUNICATING ON BEHALF OF THE CITY

The Department Heads, City Business Manager and Mayor are authorized to communicate on behalf of the city in interviews, publications, new releases, on social media sites, and related communications. Other employees may represent the city if approved by one of these individuals to communicate on a specific topic. When speaking on behalf of the city or while carrying out your official duties:

- Employees must identify themselves as representing the city. Account names on social media sites must clearly be connected to the city and approved by the City Business Manager.
- All information must be respectful, professional, and truthful. Corrections must be issued when needed.
- Employees need to notify the City Business Manager if they will be using their personal technology (cell phones, home computers, cameras, etc.) for city business. Employees should be aware that the data transmitted or stored may be subject to the Freedom of Information Act (FOIA).

HANDLING REQUESTS FOR INFORMATION PURSUANT TO FOIA

Any citizen of the State of Arkansas may request to inspect, copy, or receive copies of public records pursuant to the Freedom of Information Act. Any requests must immediately be forwarded to the **public records custodian City Attorney. The City Attorney will then designate the appropriate departmental personnel to address and reply to the request.** If the employee receiving the request is not the custodian, the employee must notify the requester of this fact and identify the custodian.

HANDLING MEDIA REQUEST

With the exception of routine events and basic information that is readily available to the public, all requests for interviews or information from the media are to be routed through the City Business Manager. Media requests include anything intended to be published or viewable to others in some form such television, radio, newspaper, newsletters, and websites. When responding to media requests, employees should follow these steps:

1. If the request is for routine or public information (such as a meeting time or agenda) provide the information and notify the City Business Manager of the request.
2. If the request is regarding information about city personnel, potential litigation, controversial issues, an opinion on a city matter, or if you are unsure if it is a "routine" question, immediately forward to the City Business Manager. An appropriate response would be, "I'm sorry, I don't have the full information

regarding that issue. Let me take some basic information and submit your request to the appropriate person who will get back to you as soon as she/he can.”

3. Ask the media representative’s name, questions, deadline, and contact information.

PERSONAL COMMUNICATIONS

It is important for employees to remember that the personal communications of employees may reflect on the city, especially if employees are commenting on city business. The following guidelines apply to personal communications including various forms such as social media (Facebook, Twitter, blogs, YouTube, etc.), letters to the editor of newspapers, and personal endorsements.

- Remember that what you write is public, and will be so for a long time. It may also be spread to large audiences. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information that you would not want your boss or other employees to read, or that you would be embarrassed to see in the newspaper.
- If you publish something related to city business, identify yourself and use a disclaimer such as, “ I am an employee of the City of Farmington. However, these are my own opinions and do not represent those of the City of Farmington.
- City resources, working time, or official city positions cannot be used for personal profit or business interests, or to participate in personal political activity. For example, a building inspector could not use the city’s logo, email, or working time to promote his/her side business as a plumber.

GUIDELINES FOR APPROPRIATE CONDUCT

An employee of the City of Farmington is expected to adhere to acceptable principles in matters of personal conduct and exhibit a high degree of personal integrity at all times. This not only involves a sincere respect for the rights and feelings of others, but also demands that both while at work and in their personal lives, employees refrain from behavior that might be harmful to the employees, co-workers, the citizens and/or the city.

Whether an employee is on duty or off-duty, his or her conduct reflects on the city. An employee should observe the highest standards of professionalism at all times.

Types of behavior and conduct that the city considers inappropriate include, but are not limited to the following:

1. Falsifying employment or other city records.
2. Violating any city nondiscrimination and/or harassment policy
3. Soliciting or accepting gratuities from citizens
4. Excessive absenteeism or tardiness
5. Excessive, unnecessary or unauthorized use of city property
6. Reporting to work intoxicated or under the influence of non-prescribed drugs or participating in the illegal manufacture, possession, use, sale, distribution, or transportation of drugs
7. Buying or using alcoholic beverages while on city property or using alcoholic beverages while engaged in city business on city premises or in any city owned vehicle, except where authorized.
8. Fighting or using obscene, abusive or threatening language or gestures
9. Theft of property from co-workers, citizens, or the City of Farmington
10. Possession of firearms or knives with blades over three (3) inches in length while on duty. (Except in the case of police department personnel.)
11. Disregarding safety or security regulations

12. Insubordination
13. Neglect or carelessness resulting in damage to city property or equipment
14. Conviction of a felony
15. Fraud in securing employment
16. Misuse of city funds
17. Failure to follow chain command unless special conditions or emergency conditions dictate otherwise
18. Sexual harassment
19. Illegal gambling

Should an employee's performance, work habits, overall attitude, conduct or demeanor become unsatisfactory and in violation of either of the above referenced items or any other city policies, rules or regulations, an employee will be subject to disciplinary action up to and including dismissal.

UNIFORMS AND DRESS CODE

Uniforms or uniform allowance will be provided to personnel of certain departments as authorized by the Mayor or City Business Manager. Personnel who are provided uniforms or uniform allowance shall wear uniforms at all times while on duty. Uniforms shall be kept as neat and presentable as working conditions permit.

Employees not required to wear uniforms should dress in appropriate professional departmental attire. If an employee is not sure what appropriate attire is, then the employee should check with their supervisor or the **City Business Manager Human Resources Manager**.

ABSENTEEISM AND TARDINESS

Regular attendance is essential to the effective business operations, and the City of Farmington expects all of its employees to report to work on time and on a regular basis. Unnecessary absences and tardiness are expensive, disruptive and place an unnecessary burden on fellow employees, supervisors, city government as a whole and the taxpayers who receive City services. Should an employee be unable to report to work on time because of illness or personal emergency, he/she should give proper notice to his or her supervisor.

Excessive absences or tardiness, unexcused absences and tardiness, falsification of reasons for any absence or tardiness, absences/tardiness which form unacceptable patterns (i.e., regularly reporting late on Monday mornings or calling in absent on Fridays), or failing to provide proper medical documentation to support absences/tardiness may result in disciplinary action. "Proper notice" is defined by the City as notice in advance of the time an employee should report for work or no later than one (1) hour thereafter if advance notice is impossible. An absence of an employee from duty, including any absence of one (1) day or part thereof, (other than an absence authorized by this personnel handbook or by law) that is not authorized in advance by the Department manager or the employee's supervisor will be deemed absence without leave. Such absence shall be without pay.

INCLEMENT WEATHER

Employees are expected to work regardless of weather conditions unless the Mayor or City Business Manager declares the city offices officially closed. In exceptional circumstances beyond the employee's control an employee unable to work due to inclement weather will be charged one day of vacation or sick leave for each day he or she does not report for work unless, by arrangement with the Mayor or City Business Manager, it may be considered compensatory time off. The employee is required to contact his or her supervisor for

instructions regarding job assignments for that particular work day. Regardless of the situation, an employee is required to give his or her supervisor proper notice if he or she is unable to report for work.

OUTSIDE EMPLOYMENT

If an employee is considering additional employment, he or she should discuss the additional employment with his or her department manager for approval. If, as an employee of the city, an employee participates in additional employment, it must not interfere with the proper and effective performance of his or her job with the city. An employee's outside employment must not be of a nature that adversely affects the image of the city, resulting in embarrassment, legitimate and reasonable criticism or of a type that may be constructed by the public to be an official act of the city in any way violate these policies. City uniforms shall not be worn during outside employment unless approved in advance by the Mayor or City Business Manager.

OUTSIDE COMPENSATION

No reward, gift or other form of remuneration in addition to regular compensation shall be received from any source by employees of the city for performance of their duties as employees of the city. If a reward, gift or other form of remuneration is made available to any employee; it shall be credited to an appropriate city fund.

VOTING

City employees are encouraged to exercise their legal right to vote and, if necessary and requested in advance, reasonable time will be granted for the purpose.

USE OF NARCOTICS, ALCOHOL AND TOBACCO

Employees of the city shall not use habit-forming drugs, narcotics or controlled substances unless such drugs are properly prescribed by a physician. The consumption of alcohol or other intoxicants is prohibited while an employee is on duty. Employees are not to consume intoxicants while off duty to such a degree that it interferes with or impairs the performance of their duties. Employees involved in any unauthorized use, possession, transfer, sale, manufacture, distribution, purchase or presence of drugs, alcohol or drug paraphernalia on city property or reporting to work with detectable levels of illegal drugs or alcohol will be subject to disciplinary action including termination.

The City of Farmington is dedicated to providing a healthful, comfortable, and protective environment for its employees and for persons conducting business with the city. Therefore, it has been ordained by the city council that the city will maintain a tobacco free environment.

Tobacco free means that the use of any and all tobacco products, including but not limited to cigarettes and chewing tobacco, is prohibited within all municipal buildings.

DRUG-FREE WORKPLACE

It is the policy of the city of to create a drug-free workplace in keeping with the spirit and intent of the Drug-Free Workplace Act of 1988 and its amendments. The use of controlled substances is inconsistent with the conduct expected of employees, subjects all employees and visitors to city facilities to unacceptable safety risks and undermines the city's ability to operate effectively and efficiently. Therefore, the unlawful manufacture, distribution, dispensation, possession, sale or use of a controlled substance in the workplace or while engaged in city business for the city of or on the city's premises is strictly prohibited. Such conduct is also prohibited during non-working hours to the extent that, in the opinion of the city, it impairs an employee's ability to perform on the job or threatens the reputation and integrity of the city.

To educate employees on the danger of drug abuse, the city has established a drug-free awareness program. Periodically, employees will be required to attend training sessions at which the dangers of drug abuse, the city's policy regarding drugs, the availability of counseling, and the city's employee assistance program will be discussed. Employees convicted of controlled substances related violations in the workplace must inform the city within five (5) days of such conviction or plea. Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination. At its discretion, the city may require employees who violate this policy to successfully complete a drug abuse assistance or rehabilitation program as a condition of continued employment.

USE OF CITY ASSETS AND RESOURCES

Telephones, Computers and Other Technological Resources, Internet Access, Electronic Mail and Confidentiality

To help maximize its employees' efficiency in carrying out their respective job duties, the City of Farmington provides various information and technology resources such as e-mail, computers, software/computer applications, networks, the internet, the intranet, facsimile machines, cell phones, pagers, and other wireless communication devices and voice mail systems.

Please remember that these tools are City property and must be used in a manner that reflects positively on the City and all who work here. Occasional, limited personal use of these resources is permitted, but should not interfere with your work performance, or the work performance of your colleagues. Employees will be held accountable for all usage of their systems and shall keep their keywords and passwords confidential to protect their assigned equipment and their files from misuse.

Employees shall not access or copy software or data belonging to others or to the City. Reading another employee's files is prohibited unless authorized by the department manager. Employees shall not transport software or data provided by the City to another computer site without prior authorization from the department responsible for the data.

The City will not tolerate inappropriate or illegal use of these assets and reserves the right to take appropriate disciplinary actions, as needed, up to and including termination of employment. Such inappropriate use of these resources can include, but is not limited to, the following:

- Hacking;
- Pirating software or audio/video files;
- Soliciting
- Distributing literature for outside entities;
- Sending inappropriate e-mails;
- Accessing, viewing, or downloading inappropriate Web sites, i.e., sites advocating hate, violence, sexually explicit material, or promoting illegal activities;
- Distributing confidential information to persons/entities that are not entitled to such information;
- Storing or placing unlawful information on a computer or the network;
- Copying system files without proper authorization;
- Copying copyrighted materials without proper authorization;
- Use of abusive or otherwise objectionable language in either public or private messages;
- Sending messages that are likely to result in the loss of the recipient's work or systems use;
- Sending "chain-letters," jokes or lists or any other types of use that would cause congestion or disrupt the operation of the networks or otherwise interfere with the work of others;
- Decryption of system or user passwords.

Only software which has been purchased or approved by the City of Farmington may be loaded or used on any of its computers. All software, programs, applications, templates, data and data files stored in, residing on, or developed with City computers, networks, or storage media are property of the City and shall not be removed from the workplace without proper authorization. The City's software and software manuals should not be duplicated or reproduced in any manner which would violate the license agreements which pertain to usage of the software. Computer equipment, including software, should not be removed from City premises without prior written approval from the City Business Manager.

The City reserves the right to monitor and inspect, without notice, the use of its information and technology resources.

Internet Access

Internet access is provided to employees to conduct City business, limited personal use is permitted. The City reserves the right to monitor Internet use to assure that Internet use is not abused by any one employee.

Downloading files without the express consent of the department manager is prohibited. Files downloaded from the Internet, or any other outside service, may contain a computer virus and must be scanned by a virus checking software prior to being used on a City computer. Uploading to the Internet is prohibited unless authorized by the department head to avoid interception and unauthorized access to information.

WI-FI Acceptable Use Policy

Wi-Fi is available in city hall. It is to be used by city employees and elected officials only. Your supervisor is responsible for relaying the password to those under their jurisdiction.

Do not use the City Wi-Fi in a way that violates state or federal law. Your Wi-Fi connection is for your use only; do not use it for any commercial purpose. Do not use your Wi-Fi connection to threaten, intimidate or harass other individuals. Network capacity is limited, if you use excess bandwidth, send disruptive signals or violate any of the above policies it will be subject to disconnection.

Electronic Mail and Confidentiality

The City of Farmington provides electronic mail for business purposes. The City maintains the ability to access any messages left on or transmitted over the system. Employees should not assume that such messages are confidential or that access by the City or its designated representative will not occur. Therefore, any personal use of the City's electronic mail system shall be kept to a minimum. The electronic mail system shall not be used: to solicit or proselytize for commercial venture, religious or political causes, outside organizations, or other non-job-related solicitation; to create any unwelcome, offensive, or otherwise disruptive messages including sexual innuendo, racial slurs, gender-specific comments, or any other comment that offensively addresses someone's age, sexual orientation, religious or political beliefs, national origin, or disability; or to send or receive copyrighted materials, trade secrets, proprietary or financial information, or similar materials without prior written authorization from the owner of the material. Employees are not authorized to retrieve or read e-mail messages that are not sent to them.

REMOVAL OF CITY PROPERTY

No City owned, leased, or licensed equipment or documents may be removed from City premises without prior written approval from the City Business Manager. **All items listed in the inventory shall be presented to the city council for review and approval prior to disposal.**

USE OF CITY OWNED VEHICLES

City owned vehicles are sometime provided to City employees to help such employees better perform their job. City vehicles shall be legally operated and or parked at all times. Violations issued to the driver will be the responsibility of the driver, not the City. Seat belts will be used at all times when the vehicle is in motion.

City Owned vehicles shall only be used for authorized City business. However, if approved by the department manager or the City Business Manager in the event the employee is the department manager, family members may be transported in City owned vehicles to drop family members off or pick them up at destinations in the City of Farmington. (This policy does not apply to sworn employees in the police department; they have their own internal policy governing vehicle use.)

VEHICLE INCIDENT PROCEDURES

In the event of a vehicle incident involving a company-owned vehicle, the employee shall comply with all applicable traffic and accident-reporting laws. The employee shall immediately notify their direct supervisor at the time of the incident, or as soon as practicable thereafter, and shall document the incident by taking photographs of any damage to the vehicle at the time of the occurrence.

Upon notification, the direct supervisor shall promptly inform the Human Resources Manager of the incident. The Human Resources Manager shall arrange for the employee to undergo a post-accident drug and alcohol screening.

If it is determined that the employee was under the influence of alcohol or non-prescription drugs at the time of the incident, the employee shall be subject to disciplinary action, up to and including termination of employment.

USE OF CITY OWNED CELL PHONES

According to Internal Revenue Service Code, any *personal use* of an employer issued phone by the employee may be considered taxable income and subject to withholding taxes. Minutes used for personal calls/minutes shall be reimbursed to the City at a cost of \$.10 per minute, unless the number of minutes is under the plan limit.

Use of City owned cell phones may be provided to employees to improve customer service, enhance efficiency, and provide safety and/or security. The phones are not a personal benefit and shall not be a primary mode of communication, unless they are the most cost-effective means to conduct City business.

City employees may carry personal cellular phones with them while on City time or while operating City equipment, but excessive use of personal cellular phones for personal business during duty hours is not allowed.

Employees are responsible for operating City-owned vehicles and potentially hazardous equipment in a safe and prudent manner, and therefore, employees should refrain from using cellular phones while operating such vehicles.

Any Internet usage or text messaging must be for work purposes only. Any other Internet usage (game downloads, ring tone downloads, personal email, other multimedia applications, etc.) is prohibited. Employees are also prohibited from calling for directory assistance. The cost incurred for such usage will be paid for by the individual employee. Calls home or to family by City staff when required to work extended hours or while on

out of town assignment or at conferences or trainings, shall be considered business use. Personal use of an emergency nature is permitted.

POLITICAL CAMPAIGNS

No city employee shall campaign on city time for any candidate or ballot measure at federal, state, or local level. Employees are prohibited by law and this policy for using city equipment, property, funds or other resources to campaign for a candidate or ballot measure. After working hours, employees are free to campaign and support candidates and ballot measures in federal, state, county, and local campaigns as long as they do not use city property, funds, equipment or resources. No campaign banners, campaign signs, or other campaign literature shall be placed on any cars, trucks, tractors, or other vehicle belonging to the city.

DISCIPLINARY ACTION

Should an employee's performance, work habits, overall attitude, conduct or demeanor become unsatisfactory including, but not limited to, violations listed in this Handbook, or any other City policy, rule or regulation, directive or ideal, the employee may be subject to disciplinary action up to and including dismissal.

Disciplinary action may include, but is not limited to:

WARNING OR REPRIMAND. A warning or reprimand is action used to alert the employee that his or her performance is not satisfactory or to call attention to the employee's violation of employment rules and/or regulations. City employees may be officially reprimanded orally or in writing.

SUSPENSION. Suspension involves the removal of an employee from his or her job. An employee may be suspended with or without pay.

DEMOTION. A demotion is an action that places the employee in a position of less responsibility and less pay.

TERMINATION. This type of disciplinary action is a removal of an employee from city employment.

Chapter 7 – Miscellaneous Information

POLICY STATEMENT

The City of Farmington possesses the sole right to operate and manage the affairs of the city.

CONFLICTS

The policies in this Handbook will be followed unless they are found to conflict with federal, state, or local laws, which shall take precedence.

SEVERABILITY

Should any of the provisions contained in this Handbook be found contrary to federal, state, or local law, the remaining provisions of this Handbook shall remain in full force and effect. To the extent that any law provides additional or different benefits or rights to employees, the provisions of this Handbook shall be deemed to include those statements of law.

POLICY CHANGES

The City reserves the right to suspend, revoke, or revise any of the policies contained this Handbook at any time.

CHANGE OF ADDRESS

Employees changing their home address or telephone number must notify his or her department head of this change so that personnel files can be kept current. This is important in case the city must mail the employee any information or documents, such as tax statements. Also, if there is any change in the employee's marital status, the employee should report it to his or her department head.

FORMS
Attachment A

RECEIPT OF CITY OF PERSONNEL HANDBOOK
(To be placed in employee's personnel file)

I _____, acknowledge receipt of the City of Personnel Handbook. I understand that this Handbook is not a contract. I understand that reading this Handbook constitutes one of my job duties and that I am required to perform my job duties in accordance with the policies contained in this Handbook and any additional rules, regulations, policies or procedures which may be imposed by the City of Farmington in the department in which I work whether or not I read this Handbook. I understand that my failure to read this Handbook, as required, does not excuse me from being covered by or complying with its provisions. I understand that if I have any questions about the provisions contained in this Handbook, I should direct them to the City Business Manager.

Signed _____

Date _____

Appendix B

1. Continued Education Reimbursement – Memorandum of Understanding

Memorandum of Understanding

This Memorandum of Understanding (“MOU”) is entered into by and between the City of Farmington (“City”) and the Employee (“Employee”) regarding participation in the City’s Continued Education Reimbursement Policy. By entering into this agreement, the Employee acknowledges and agrees to meet and abide by all eligibility requirements, procedures, and conditions set forth in the Continued Education Reimbursement Policy. The Employee understands that failure to comply with any eligibility requirements or required processes may result in the denial or revocation of reimbursement.

It is further understood and agreed that if the eligibility requirements and procedures are not fully followed and met, any and all compensation or reimbursement associated with this Continued Education Reimbursement Agreement shall be deemed void and will not be covered by the City of Farmington. In such cases, all financial obligations related to continued education shall be the sole responsibility of the Employee.

The City of Farmington shall not be responsible for reimbursing any existing student loans, tuition, fees, or related educational expenses incurred by the Employee prior to the signing and acknowledgment of this MOU.

By signing this agreement, the Employee acknowledges understanding of and agreement to the terms and conditions outlined herein.

Eligibility:

1. Must be a full-time employee with at least 6-month of continued service.
2. Coursework must be directly related to the employee’s current role or future role within the city.
3. Final course grade must be a B or higher to be eligible.
4. The employee must hold a position at the city for 1-year following course reimbursement. If the employee chooses to leave prior to this 1-year requirement, all reimbursed fees will be owed back to the city.

Reimbursement Processes will need to be followed accordingly. Failure to follow tuition/fee reimbursement procedures may result in delayed reimbursement or expenses not being reimbursed.

1. Request is sent to the Human Resources Manager
2. Determination will be made promptly after receiving request
3. If approved, the employee will be notified and will sign Memorandum of Understanding which includes requirements for reimbursement. In the event the tuition reimbursement is denied, the employee will be informed of the denial reason.
4. Once the course has been completed, the employee will provide the Human Resources Manager with final grades and invoice.
5. Reimbursement will be processed within 30 days of receiving documentation listed on line 4.

Employee/Student: _____ Date: _____

City of Farmington Representative: _____ Date: _____

Agenda Item 14

ORDINANCE NO. 2026-03

AN ORDINANCE ADDING DESIGN STANDARDS FOR NON-RESIDENTIAL STRUCTURES TO THE FARMINGTON MUNICIPAL CODE; PROVIDING FOR AN EMERGENCY, AND OTHER PURPOSES

WHEREAS the Farmington City Council believes it to be in the best interest of the citizens of Farmington to adopt new and updated design standards for non-residential structures; and

WHEREAS three copies of these standards have been available for inspection and copying at the office of the City Clerk prior to adoption, and a public hearing was advertised as required and held at the Planning Commission meeting on February 23, 2026.

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

Section 1: The city council of the City of Farmington hereby adopts new and updated design standards for non-residential structures, hereinafter referenced as Exhibit A, attached hereto. The City has, and shall continue to have, three copies of these design standards for non-residential structures on file in the office of the City Clerk for inspection and copying by the public.

REPEALING CLAUSE. All other ordinances and parts of ordinances in conflict herewith are hereby repealed.

SEVERABILITY CLAUSE. In the event any portion of this Ordinance is declared to be inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

EMERGENCY CLAUSE: That the City Council of the City of Farmington, Arkansas further determines that this Ordinance is necessary to adequately and properly provide for the proper construction and aesthetics of non-residential structures for the benefit of the citizens of the City; therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 9th day of March 2026

ATTEST:

APPROVED:

BY: _____
Kelly Penn, City Clerk

BY: _____
Ernie Penn, Mayor

EXHIBIT

A

EXHIBIT "A"

SECTION __ DESIGN STANDARDS FOR NON-RESIDENTIAL DEVELOPMENTS

Purpose and intent.

The design standards in this section are intended to implement the City's vision for Commercial Development. The intent of these standards is to improve the overall quality of commercial developments with surrounding land uses and enhance pedestrian safety and walkability.

Applicability.

The provisions of this section shall apply to all commercial development, when any of the following are met:

- A. New developments that require Large Scale Development review and approval; and/or
- B. All new commercial construction, requiring building permits; and/or
- C. Additions or alterations to a building of 12,000 SF or more, or on a site with a structure of 12,000 SF or more, excluding interior-only improvements, which total twenty percent (20%) or more of the gross square footage of the existing building(s) or site.
- D. Additions or alterations to a building of less than 12,000 SF, or on a site with a structure of less than 12,000 SF, excluding interior-only improvements, which total twenty-five percent (25%) or more of the gross square footage of the existing building(s) or site.
- E. Residential conversions. Any residential conversion requiring a building permit shall be required to adhere to certain subsections of the commercial development standards related to parking, landscaping, and outdoor storage.

3.1.1 Applicability: The provisions of this section shall apply to projects requiring a Commercial Building Permit, regardless of the underlying zoning category, with exceptions below:

- 1) Multifamily residential uses shall comply with the Multifamily Design Standards.
- 2) Industrial uses within Industrial zoning districts\ (I) will not be required to comply with the Commercial Design Standards.

3.1.2 Exemptions. Reserved.

Review process.

These standards shall be applied in the normal review process for large scale developments and shall be approved by the Planning Commission.

These standards are also applicable for projects exempt from large-scale development standards but requiring review by this section. Individual commercial buildings shall be reviewed by the Building Official for zoning and design standards compliance at the time a building permit is submitted. Adequate drawings shall be submitted by the applicant to facilitate review with the provisions of this section.

Design Standards for Non-residential Structures: In General

A. Site Design.

Building placement. This section applies to new buildings and building expansions, as more specifically described below.

- (1) New structures shall be placed with as much of the building width at the front of the lot as possible, to maximize front façade exposure to the public. For commercial structures located on corner lots, place as much building mass near the intersection as possible to help anchor the lot and take advantage of high visibility.
- (2) The front façade shall be kept parallel with the street.

Parking placement. This section shall be applied to new developments and redevelopments.

- (1) *Commercial and Institutional uses.*
 - (a) No more than 30% of the off-street parking area for the entire property shall be located between the front façade within the front yard of the principal building and the primary abutting street unless the principal building and/or parking lots are screened from view by outlot development and additional tree plantings or berms.
 - (b) Adjacent parking lots shall be linked, or shared parking areas provided, which can serve neighboring buildings simultaneously.
 - (c) Shared drives and cross access between properties shall be required to adjacent developed and undeveloped properties.
 - (d) Access easements shall be shown on the site plan to provide cross access to adjacent properties.

- (i) The location of this cross-catching access shall be approved by the Planning Commission.

Pedestrian circulation.

- (1) Clearly defined pedestrian walkways or paths shall be provided from parking areas to primary building entrances.
- (2) Design walkways and parking lots so that pedestrians do not have to cross parking aisles and landscape islands to reach building entrances.
- (3) All internal walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.
 - (a) Painted crosswalks shall not be considered sufficient definition of the pedestrian path from the driving surface.

B. Building Design

Building placement. This section applies to new buildings, new developments, and building expansions when the expansion equals more than 50% of the existing building square footage.

Material. This subsection below regarding material standards shall only apply to the sides of the building that face the right-of-way:

- (1) The primary material shall constitute at least 75% of the wall area, excluding glass.
- (2) The primary exterior material shall consist of a combination of brick, textured concrete block, stucco, wood, synthetic stone or natural stone. The remaining exterior material shall be considered building trim. Note: Trim is defined as an ornamental design feature, that when removed does not significantly alter the appearance of the building. This commonly consists of moldings, cornices, parapet, frieze, sills, lintels, stringcourse, quoining, and ledgement.
- (3) No masonite, asphaltic exterior wall or roof material, aluminum or steel siding (other than approved architectural metal), non-textured concrete block

(ground-faced is allowed), vinyl or other similar materials shall constitute a portion of any building except trim.

Compatibility.

- (1) All commercial and multi-family structures shall be designed in a manner compatible with other structures in the surrounding vicinity.
 - a. Compatibility shall not mean that the proposed structure must be identical in style or color to surrounding buildings.
- (2) The exterior building design, including roof style, color, materials, architectural form and detailing, shall be consistent among all buildings in a common commercial development and on all elevations of each building to achieve design harmony and continuity within itself.

Scale and bulk.

- (1) The height and scale of new buildings shall be consistent or compatible with the height and scale of adjacent buildings.
- (2) The scale of the building shall also consider building setback, lot size and relationship to street width.
- (3) Special care, however, shall be taken to achieve the compatibility of larger buildings next to small scale buildings; techniques shall include:
 - (a) Limiting building size.
 - (b) Creating shadow patterns for depth.
 - (c) Using building articulation to:
 - i. Create a variety of scale relationships.
 - ii. Create the appearance or feeling of a residential scale.
- (4) Constructing buildings that are sympathetic to a structure on an adjoining property.
- (5) Using a design technique or element that:

- (a) Creates a human scale appropriate for a residential use.
 - (b) Prevents the construction of a structure in close proximity to a single-family residence zoning district that is significantly more substantial than a structure in a single-family residence zoning district.
- (6) Allowing the construction of a structure, including a multi-family structure, that exhibits a human scale and massing that is appropriate for a residential use.

Wall articulation. This subsection below regarding wall articulation shall only apply to the sides of the building that face the right-of-way:

- (1) Buildings shall avoid long uninterrupted façade planes and/or blank walls.
- (2) All commercial and multi-family buildings with facades greater than 50 feet in length shall incorporate wall plane projections or recess that are at least two feet deep. Projections/recess must be at least 25% of the length of the façade.
- (3) No uninterrupted length of a façade may exceed 50 feet in length.

Facades. This subsection below regarding facades shall only apply to the sides of the building that face the right-of-way:

- (1) All residential and nonresidential structures shall be architecturally finished on all sides with same materials, detailing, and features when visible from the public realm or adjacent residential areas. The degree of visibility from the public realm shall be evaluated using the following criteria:
 - (a) The degree of visibility from all adjacent public ways;
 - (b) Possible visibility from future public ways based on the Master Street Plan;
 - (c) Internal overall appearance in relation to the site; and
 - (d) If adjacent to, and visible from, residential uses, residential zoning categories, or other marginally compatible uses.

Roofs.

- (1) Roof lines and/or parapets shall be varied with a change in height every 100 linear feet in the building length.
- (2) Parapets, gable roofs, high roofs, or dormers shall be used to conceal flat roofs and rooftop equipment from public view.
- (3) Alternative lengths and designs may be acceptable and may be approved by Planning Commission.

Accessory Buildings

- (1) Commercial accessory buildings are allowed when there is a need for additional space outside of the main commercial structure for general merchandise storage, storage of materials or products intended to be kept outside, or when additional storage is needed for maintenance equipment or similar equipment or products. All commercial accessory buildings require review and approval and shall meet the below requirements:
 - (a) Accessory buildings shall be compatible with and harmonize with the general character of the buildings within the district. Truck trailers, metal storage containers, or other types of containers that are not buildings will not be considered accessory structures and will not be considered compatible in commercial zones, except when used as temporary storage during construction, a special event(s), or an emergency situation, but in no case shall the use exceed six (6) months.
 - (b) Accessory structures shall meet the same building setback as other buildings in the zoning class they are located in and shall be at least 10' from any other existing building on the lot. No accessory building shall be constructed in a way to allow runoff, rainfall, seepage, or any other detrimental condition to negatively affect adjacent properties.

Entrances

- (1) Buildings containing dwelling units on the second (2nd) and higher floors above grade shall:
 - (a) Not contain exterior stairwells between the front façade and the right-of-way for units accessed on the second (2nd) or higher floor above grade.
 - (b) Not contain exterior stairwells that are visible from the public right-of-

way for units accessed on the third (3rd) or higher floor above grade.

- (c) Provide internal access to any dwelling units on the third (3rd) and higher floors above grade.
- (2) Each primary building on a site, regardless of size, shall have clearly defined, highly visible customer entrances featuring no less than two (2) of the following:
- (a) Canopies or porticos;
 - (b) Overhangs;
 - (c) Recesses/projections;
 - (d) Arcades;
 - (e) Raised corniced parapets over the door;
 - (f) Peaked roof forms;
 - (g) Arches;
 - (h) Architectural detail such as tile work and moldings integrated into the building structure and design;
 - (i) Integral planters or wing walls that incorporate landscaped areas and/or places for sitting; or
 - (j) Other architectural features approved by Planning Commission.

Architectural details.

- (1) All buildings shall be designed to incorporate no less than three (3) of the architectural elements from the list below, in addition to regulations regarding the design of entrances above.
- (2) Buildings over 50,000 square feet shall include a minimum of five (5) of the referenced architectural elements. Buildings over 100,000 square feet shall include a minimum of six (6) of the referenced architectural elements.
 - (a) Canopies, awnings, or porticos;
 - (b) Recesses/projections;
 - (c) Arcades;
 - (d) Peaked roof forms;
 - (e) Arches;
 - (f) Display windows;
 - (g) Accent materials (minimum of 15% of exterior façade);
 - (h) Architectural details (such as tile work and moldings) integrated into the building façade;
 - (i) Articulated cornice line;
 - (j) Articulated ground floor levels or base;

- (k) Varied roof heights; or
- (l) Other architectural features approved by Planning Commission.

Additional provisions, for commercial zoning categories, are found below:

Design Standards for Non-residential Structures: R-O, Residential Office

- (1) New structures shall be placed in alignment with required setbacks so that they are incorporated into the existing neighborhood structure.
- (2) When building expansions are proposed, expansions shall be placed in a way that they do not disrupt the existing neighborhood. Expansions will be encouraged to be placed behind the existing structure.
- (3) When the new or expanded structure is located within an existing residential neighborhood, the front façade shall be kept residential in nature.
- (4) If additional parking is required, it shall be placed on the side or rear of the structure.
- (5) Building footprint shall be limited to 15,000 square feet.

Design Standards for Non-residential Structures: C-1, General Commercial

- (1) One (1) row of parking shall be located between the front façade within the front yard of the principal building and the primary abutting street,
- (2) If additional parking is required, it shall be placed on the side or rear of the structure.
- (3) Building footprint shall be limited to 30,000 square feet.

Design Standards for Non-residential Structures: C-3, Mixes Use Commercial

- (1) One (1) row of parking shall be located between the front façade within the front yard of the principal building and the primary abutting street,
- (2) If additional parking is required, it shall be placed on the side or rear of the structure.

- (3) Residential Uses are allowed by Conditional Use Permit only, with the following restrictions:
 - a. If Residential Uses are desired, they shall be part of a planned development to include both commercial and residential uses. In no case shall a property be developed solely for residential use within this district.

Design Standards for Non-residential Structures: C-4, Trades and Services

- (1) The frontage of the property shall not contain any visible exterior roll up doors. The frontage of the property shall have office buildings or storage buildings with facades that appear to be standard commercial/office development, driveways, or masonry wall/decorative fencing facing the street.

Agenda Item 15

ORDINANCE NO. 2026-04

AN ORDINANCE AMENDING SECTION 14.04.05 OF THE CITY OF FARMINGTON MUNICIPAL CODE TO INCLUDE TWO NEW COMMERCIAL ZONING DISTRICTS; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

WHEREAS, the Farmington City Council has determined that in order to protect the health, safety and welfare of the citizens of Farmington and others, it is necessary to periodically amend the regulations pertaining to commercial zoning that are set forth in Section 14.04.05 of the Farmington Municipal Code; and

WHEREAS, having fully reviewed the proposed amendments, the Farmington City Council has determined that Section 14.04.05 of the Farmington Municipal Code should be amended to now include additional categories and language; specifically, C-3 Mixed Use Commercial and C-4 Trades and Services Commercial along with additions of each categories use unit charts.

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

Section 1: That Section 14.04.05 of the Farmington Municipal Code is hereby amended in its entirety as set forth in the Attached Exhibit "A" which now includes two new zoning categories, specifically, C-3 Mixed Use Commercial and C-4 Trades and Services Commercial along with each categories use unit charts.

REPEALING CLAUSE: The remainder of the Farmington Municipal Code not specifically amended herein remains in full force and effect.

SEVERABILITY CLAUSE: In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of the Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

EMERGENCY CLAUSE: It is hereby found and determined that Section 14.04.05 of the Farmington Municipal Code should be immediately amended in its entirety in order to add two new categories, specifically, C-3 Mixed Use Commercial and C-4 Trades and Services Commercial, and each categories use unit charts. Therefore, an emergency is declared to exist and this act, being immediately necessary for the preservation and protection of the public health, safety and welfare of the City and its citizens, shall become effective on the date of its passage and approval by the Mayor.

PASSED AND APPROVED this 9th day of March 2026

ATTEST:

APPROVED: \

BY: _____
Kelly Penn, City Clerk

BY: _____
Ernie Penn, Mayor

EXHIBIT

A

EXHIBIT "A"

(b) *Commercial Districts.* Commercial districts are principally intended for the provision of services and the conduct of business and retail trade essential to support residents within the city and the surrounding area. Two such districts are established herein to provide for the diversity of uses and appropriate locations required for the range of goods and services needed in Farmington.

Uses permitted and conditional uses in the commercial districts are set forth in the chart that is attached as Exhibit "A." Since it is not possible to list every potential use that may be considered, the Planning Commission may from time to time evaluate uses not listed as permitted or conditional as to their suitability in a particular zone.

- (1) *C-1 General Commercial.* The purpose of this zoning district is to provide areas within the city for the conduct of commerce and the provision of personal services; to group retail activities for the convenience of the consumer, to reduce energy costs, to take maximum advantages of public facilities and services and to reduce the impact on surrounding property; and to recognize and encourage the continuance of certain existing commercial groupings.

Minimum area requirements.

Min land sq. ft.	Front yard	Side yard	Rear yard
N/A	50	25	20

Lot coverage. No more than 60 percent of the lot or parcel may be covered by structures.

Height requirements. The maximum height shall be 40 feet.

Off-street parking requirements.

1 per each 200 sq. ft. of floor area for eating places and retail establishments.

1 per each room for hotels and motels.

1 per each 500 sq. ft. of floor area for all other uses.

All off street parking shall be a dust free surface.

- (2) *C-2 Highway Commercial.* The purpose of the Highway Commercial District is to provide areas adjacent to highways within the city for the conduct of commerce and the provision of personal services; to groups retail activities for the convenience of

the consumer; to reduce energy costs; to take maximum advantage of public facilities and services; and to reduce the impact on surrounding property; and to recognize and encourage the continuance of certain existing commercial groupings.

Uses permitted and conditional uses in the commercial districts are set forth in the attached chart.

Minimum area requirements.

Min. land sq. ft.	Min. land area sq. ft./D.U.	Front Yard	Side Yard	Rear Yard	Lot Frontage	Corner Lot
N/A	N/A	50 *	25	20	50	35

* The specific properties most affected by the Highway 62 project and described in Exhibit "A." which is attached hereto and incorporated by reference will be allowed a Front Yard Setback of 35 feet.

** Street side setbacks and side setbacks adjacent to residential zones will be 15 feet.

The replacement of buildings and structures in the C-2 Highway Commercial Zone that are substantially destroyed by fire, acts of God or demolished by the property owners shall meet all setback requirements established herein. For purposes of this section, buildings and structures are substantially destroyed if 50 percent of the building or structure would require reconstruction, as determined by the Farmington Building Inspector.

Lot coverage. No more than 60 percent of the lot or parcel may be covered by structures.

Height requirements. The maximum height shall be 40 feet.

Off-street parking requirements.

1 per each room plus one per each employee for hotel and motels;

1 per 200 sq. feet of floor area for offices;

1 per 300 sq. ft. of floor area for commercial;

1 per 4 seating capacity for restaurants;

1 per 400 sq. ft. of floor area for services uses;

1 per each 500 sq. ft. of floor area for all other uses.

All off street parking shall be a dust free surface.

(3) *C-3 Mixed Use Commercial*. The purpose of the mixed Use Commercial District is to preserve and grow the structure of the central commercial areas within the City. To allow flexibility in use, and encourage smaller footprints that reflect and compliment the existing commercial structure.

Uses permitted and conditional uses in the commercial districts are set forth in the attached chart.

Minimum area requirements.

Min. land sq. ft.	Min. land area sq. ft./D.U.	Front Yard	Side Yard	Rear Yard	Lot Frontage	Corner Lot
N/A	5,000 Zero lot line 2,500 \$ family 1500 Limited Multifamily	25	10***	15	50	35

** Street side setbacks and side setbacks adjacent to residential zones will be 15 feet.

Lot coverage. No more than 75 percent of the lot or parcel may be covered by structures.

Height requirements. The maximum height shall be 40 feet.

Off-street parking requirements. See chart. All off street parking shall be a dust free surface.

(4) *C-4 Trades and Services Commercial*. The purpose of the Trades and Services Commercial District is to provide or commercial uses that do not require high public visibility and may have a limited manufacturing or ancillary warehouse/storage component. Some uses may have retail storefronts. Uses such as screened equipment yards, limited manufacturing, and small warehousing spaces are anticipated in this zone.

Uses permitted and conditional uses in the commercial districts are set forth in the attached chart.

Minimum area requirements.

<u>Min. land sq. ft.</u>	<u>Min. land area sq. ft./D.U.</u>	<u>Front Yard</u>	<u>Side Yard</u>	<u>Rear Yard</u>	<u>Lot Frontage</u>	<u>Corner Lot</u>
N/A	N/A	50	25	20	50	35

Lot coverage. No more than 75 percent of the lot or parcel may be covered by structures.

Height requirements. The maximum height shall be 40 feet.

Off-street parking requirements. See Chart. All off street parking shall be a dust free surface.

(5) *I Light Industrial District.* The Light Industrial zoning district is intended to provide for the development of light to medium intensity industrial uses and their related facilities. Certain commercial and other complementary uses may be permitted. Appropriate standards for the district are designed to assure compatibility with other similar uses and to minimize any conflicts with non-industrial uses located in close proximity to industrial uses. Suitable uses in this district include such limited manufacturing as does not create a nuisance for residential and commercial neighbors. Adequate and suitable transportation facilities are a necessity to this district.

(1)(6) _____

Uses permitted and conditional uses in the industrial district are set forth in the attached chart.

Minimum area requirements.

<u>Min. land sq. ft.</u>	<u>Front Yard</u>	<u>Side Yard</u>	<u>Rear Yard</u>	<u>Lot Frontage</u>
N/A	50	25	25	50

Commercial/Industrial Zoning Districts

Use Units	Uses	R-O	C-1	C-2	C3	C4	I	A
Residential	Loft apartment	√	√	√	√	NP	NP	NP
	Live/Work	√	√	√	√	√	NP	√
	Single Family	NP	NP	NP	NP	NP	NP	√
	Two-Family	NP	NP	NP	NP	NP	NP	NP
	Three-Family	NP	NP	NP	NP	NP	NP	NP
	Four-Family	NP	NP	NP	CU	NP	NP	NP
	Limited Multifamily (no more than 6 attached units)	NP	NP	NP	CU	NP	NP	NP
	Zero Lot Line	NP	NP	NP	√	NP	NP	NP
	Multifamily (more than 6 attached units)	NP	NP	NP	NP	NP	NP	NP
	Business & Professional Offices/Services	Advertising Agency	√	√	√	√	√	√
Financial Services		√	√	√	√	√	√	NP
Funeral Home		NP	CU	CU	CU	√	√	NP
Travel Agency		√	√	√	√	√	√	NP
Real Estate Office		√	√	√	√	√	√	NP
Detective Service		NP	√	√	√	√	√	NP
Drafting Service		√	√	√	√	√	√	NP
Construction office (office only)		NP	√	√	√	√	√	NP
Medical/Dental/Eye Clinic		CU	√	√	√	√	√	NP
Vet Clinic (domestic-no overnight boarding, no housing animals outside.)		NP	√	√	√	√	√	NP
Vet Clinic (farm animals, allows overnight boarding)		NP	NP	NP	NP	√	√	√
Employment Agency		NP	√	√	√	√	√	NP
Studios, Arts, Related Services		Art and Teaching Studios	CU	√	√	√	√	√
	Art Gallery	CU	√	√	√	√	√	NP
	Art Supplies	CU	√	√	√	√	√	NP
	Arts & Crafts shop/ & workshops	CU	√	√	√	√	√	NP
	Broadcast Studio	NP	CU	√	√	√	√	NP
	Antique Shop without refinishing	CU	√	√	√	√	√	NP
	Bakery	√	√	√	√	√	√	NP
	Barber and Beauty Shops	√	√	√	√	√	√	NP
	Bicycle shop	√	√	√	√	√	√	NP
	Books & Stationery	√	√	√	√	√	√	NP
	Tobacco Store	NP	√	√	√	√	√	NP
	Camera Shop	√	√	√	√	√	√	NP
	Clothing Store-manufactured goods	CU	√	√	√	√	√	NP
	Tailoring Store/custom sewing	√	√	√	√	√	√	NP
	Catering Services	NP	√	√	√	√	√	NP

	Drugstore or pharmacy	NP	√	√	√	√	√	NP
	Cosmetics sales	CU	√	√	√	√	√	NP
	Vacuum Cleaner Sales & Service	CU	√	√	√	√	√	NP
	Dry cleaning (full service)	NP	√	√	√	√	√	NP
	Dry cleaning (pick up only)	√	√	√	√	√	√	NP
	Florists	√	√	√	√	√	√	NP
	Food Specialties/Health Food Store	NP	√	√	√	√	√	NP
	Health Studio/Gym or spa	CU	√	√	√	√	√	NP
	Hearing Aid	√	√	√	√	√	√	NP
	Interior Decorating	√	√	√	√	√	√	NP
	Jewelry store or repair	√	√	√	√	√	√	NP
	Leather goods and luggage	CU	√	√	√	√	√	NP
	Optical Shop - and/or Optical Supplies	CU	√	√	√	√	√	NP
	Music Instrument	NP	√	√	√	√	√	NP
	News & Magazine Store	NP	√	√	√	√	√	NP
	Key Shop	CU	√	√	√	√	√	NP
	Medical Supplies and Services	NP	√	√	√	√	√	NP
	Paint & Wallpaper	NP	√	√	√	√	√	NP
	Pawn Shop	NP	CU	√	√	√	√	NP
	Pet Shop/Pet Store	NP	√	√	√	√	√	NP
	Photography studio	√	√	√	√	√	√	NP
	Rug Cleaning or Repair	NP	√	√	√	√	√	NP
	Second Hand Store	NP	CU	CU	CU	√	√	NP
	Shoe Repair	NP	√	√	√	√	√	NP
	Shoe Sales	NP	√	√	√	√	√	NP
	Sporting Goods	NP	√	√	√	√	√	NP
	Taxidermist	NP	NP	NP	NP	√	√	NP
	Toy Store	NP	√	√	√	√	√	NP
Retail (large site: 2,500 and larger)								
	Auto Parts	NP	NP	√	√	√	√	NP
	Building Materials	NP	√	√	√	√	√	NP
	Grocery Stores	NP	√	√	√	√	√	NP
	Farm Supply/Tractor & Fleet Stores	NP	√	√	√	√	√	NP
	Green Houses/Nurseries with sale of plants and related products	NP	√	√	√	√	√	NP
	Laundromats	NP	√	√	√	√	√	NP
	Amusement Commercial Indoor	NP	CU	√	√	√	√	NP
	Kennels	NP	NP	NP	NP	√	√	√
Dining Facilities								
	Drive-in (food) establishments	NP	√	√	√	√	NP	NP
	Restaurants - No entertainment	CU	√	√	√	√	NP	NP
	Restaurants - Entertainment	NP	NP	√	√	√	NP	NP
	Cafes	NP	√	√	√	√	NP	NP

Cultural, recreational, educational, & health care	Child Care Center- (Not Home Care)	NP	CU	√	√	√	NP	NP
	Event Center	NP	CU	√	CU	√	NP	NP
	Hospital	NP	NP	√	√	√	NP	NP
	Medical Center (Nonemergency)/Urgent care	NP	√	√	√	√	√	√
	College	NP	√	√	√	√	√	√
	K-12 School	NP	√	√	√	√	NP	√
	Auditorium	NP	NP	√	√	√	NP	√
	Stadium	NP	NP	√	√	√	√	NP
	Churches	NP	CU	√	√	√	√	NP
	Golf Course (excluding miniature)	NP	NP	NP	NP	NP	NP	√
	Private club or lodge	NP	CU	CU	CU	CU	NP	NP
	Cemetery - people	NP	NP	NP	NP	NP	NP	√
	Cemetery - pets	NP	NP	NP	NP	NP	NP	√
	Nursing, Assisted Living/Rehab Facilities	CU	√	√	√	√	NP	NP
Transportation and trade services	Bus Station	NP	CU	√	√	√	√	NP
	Taxi Service	NP	CU	CU	CU	CU	√	√
	Auto Sales	NP	NP	√	CU	√	√	NP
	Car/Truck Wash	NP	NP	CU	NP	√	√	NP
	Lawn Equipment Sales and Repair	NP	CU	CU	CU	√	√	NP
	Body shop and garages	NP	NP	CU	CU	√	√	NP
	Sale and Service: Heavy Equipment	NP	NP	NP	NP	CU	√	NP
	Convenience store dispensing fuel	NP	CU	√	√	√	√	NP
	Storage Units	NP	NP	CU	NP	√	√	NP
	Sign Shop	NP	NP	CU	CU	√	√	NP
	Warehousing	NP	NP	NP	NP	CU	√	NP
	Assemble & Manufacture of Prepared Materials	NP	NP	NP	NP	CU	√	NP
	Limited and General Manufacturing	NP	NP	NP	NP	NP	√	NP
	Packaging	NP	NP	NP	NP	CU	√	NP
Wholesale	NP	NP	NP	NP	CU	√	NP	
City Uses By Right	Fire Stations	√	√	√	√	√	√	NP
	Government Facilities	√	√	√	√	√	√	NP
	Library	√	√	√	√	√	√	NP
	Park	√	√	√	√	√	√	NP
	Parking	√	√	√	√	√	√	NP
	Parkway	√	√	√	√	√	√	NP
	Pasture Land	√	√	√	√	√	√	√
	Utility Facilities	√	√	√	√	√	√	√
	Essential Services in Public Right-of-Way	√	√	√	√	√	√	√

	Min Land Area per Dwelling Unit							Setbacks							
	Min Land sq ft	Live / Work	Loft	Single Family	Zero Lot Line	Four Family	Limited Multifamily (no more than 6 attached)	Front	Side	Rear	Street Side	Lot Frontage	Conner Lot	Lot Coverage %	Max. Height
R-O	7500	N/A	N/A	7500	NP	NP	NP	25	10	20	10	100	50	60	40
C-1	N/A	N/A	N/A	NP	NP	NP	NP	50	25	20	25	50	35	60	40
C-2	N/A	N/A	N/A	NP	NP	NP	NP	50*	25	20	25	50	35	60	40
C-3	N/A	N/A	N/A	NP	5000	2500	1500	35	10***	15	10	50	35	75	40
C-4	N/A	N/A	N/A	NP	NP	NP	NP	50	25	20	25	50	35	75	40
I	N/A	N/A	N/A	NP	NP	NP	NP	50	25	25	25	50	35	60	40

*The specific properties most affected by the Highway 62 project and described in Exhibit "A." which is attached hereto and incorporated by reference will be allowed

** Street side setbacks and side setbacks adjacent to residential zones will be 15 feet.

The replacement of buildings and structures in the C-2 Highway Commercial Zone that are substantially destroyed by fire, acts of God or demolished by the property

***For Zero Lot Line structures, one side setback shall be 10' and the other 0'

Agenda Item 16

ORDINANCE NO. 2026-05

AN ORDINANCE ADDING LANGUAGE TO THE FARMINGTON MUNICIPAL CODE SECTION 14.04.08, REQUIRING ALL DEVELOPMENTS THAT DEMAND A COMMERCIAL BUILDING PERMIT TO PROCEED THROUGH THE LARGE-SCALE DEVELOPMENT PROCESS, PROVIDING FOR AN EMERGENCY, AND OTHER PURPOSES

WHEREAS the Farmington City Council believes it to be in the best interest of the citizens of Farmington to require commercial developments, which require a commercial building permit, to proceed through the large-scale development process; and

WHEREAS having fully reviewed the proposed changes, the Farmington City Council has determined that this change shall be made to Section 14.04.08 to the Farmington Code of Ordinances.

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

Section 1: That Section 14.04.08 of the Farmington Code of Ordinances shall be amended to require all commercial developments that need a commercial building permit to proceed through the large-scale development process as laid out in Exhibit A, attached hereto.

REPEALING CLAUSE. All other ordinances and parts of ordinances in conflict herewith are hereby repealed.

SEVERABILITY CLAUSE. In the event any portion of this Ordinance is declared to be inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

EMERGENCY CLAUSE: That the City Council of the City of Farmington, Arkansas further determines that this Ordinance is necessary to require developers proceed through the proper channels when a commercial building permit is required, for the benefit of the citizens of the City; therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 9th day of March 2026.

ATTEST:

BY: _____
Kelly Penn, City Clerk

APPROVED:

BY: _____
Ernie Penn, Mayor

EXHIBIT "A"

Sec. 14.04.08. - Re-zoning and development regulations

(b) Large scale development.

(1) A large scale development plan shall be required for all industrial and commercial developments, multifamily and residential developments without regard to lot size; all site improvements to real property zoned commercial and industrial; and additions to existing structures on real property zoned commercial and industrial, when the improvements or additions to existing structures exceed 25 percent of the remaining real property.

_____ (a) For all non-residential or multi-family developments or alterations, if a commercial building permit is required, the development shall be required to proceed through the Large Scale development process.

Agenda Item 17

ORDINANCE NO. 2026-06

AN ORDINANCE TO AMEND AND CORRECT SETBACK DISTANCES IN RESIDENTIAL AND MULTIFAMILY ZONING CODES OF FARMINGTON, ARKANSAS, AND TO CORRECT OUTDATED ZONING LANGUAGE; PROVIDING FOR AN EMERGENCY, AND OTHER PURPOSES

WHEREAS the Farmington City Council believes it to be in the best interest of the citizens of Farmington to have the most up-to-date language and standards pertaining to setbacks in all of its zoning categories; and

WHEREAS having fully reviewed the proposed amendments and corrections to Section 14.04.05 of the Farmington Municipal Code, the Farmington City Council does hereby adopt the following changes and corrections to be reflected hereinafter.

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

Section 1: Notations, changes, and clarifications regarding multiple sections of 14.04.05 are hereby adopted and added regarding the placement of front setbacks in residential areas; furthermore, the 14.04.05 MF-1 area table is hereby corrected to reflect the proper rear setbacks from its current measurement of 10 feet to the proper measurement of 20 feet; both updates are evidenced in Exhibit A, attached hereto and adopted by the council.

REPEALING CLAUSE. All other ordinances and parts of ordinances in conflict herewith are hereby repealed.

SEVERABILITY CLAUSE. In the event any portion of this Ordinance is declared to be inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

EMERGENCY CLAUSE: That the City Council of the City of Farmington, Arkansas further determines that this Ordinance is necessary to adequately and properly provide for the proper language and standards of zoning areas for the benefit of the citizens of the City; therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 9th day of March 2026.

APPROVED:

BY: _____
Ernie Penn, Mayor

ATTEST:

BY: _____
Kelly Penn, City Clerk

EXHIBIT

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EXHIBIT "A"

	MF-1	MF-2	MHP-1
Single-family	7,500 feet	NP	43,560 min.
Min. land area per dwelling unit	7,500 feet		4,000
Front setback	25		25
Side setback	10		25
Rear setback	20		25
Lot frontage	75 feet		100 feet
Duplex min. land area	12,000	12,000	NP
Min. land area per dwelling unit	6,000	6,000	
Front setback	25	25	
Side setback	10	10	
Rear setback	10 20	20	
Lot frontage	75 feet	75 feet	
Triplex min. land area	NP	18,000 feet	NP
Min. land area per dwelling unit		6,000 feet	

	MF-1	MF-2	MHP-1
Front setback		30	
Side setback		15	
Rear setback		20	
Lot frontage		100 feet	
4 Plex and larger	NP	24,000 feet	NP
Min. land area per dwelling unit		6,000 feet	
Front setback		30	
Side setback		25	
Rear setback		20	
Lot frontage		100 feet	
Churches and schools	NP	43,560 feet	NP
Front setback		30	
Side setback		25	
Rear setback		25	

	MF-1	MF-2	MHP-1
Lot frontage		100 feet	
NP — Not Permitted			

Sec. 14.04.05. - District regulations.

MISCELLANEOUS PROVISIONS RESIDENTIAL DISTRICTS.

(1) (1) Setback note.

- a. Setbacks shall adhere to the table provided; however, if the primary residential structure is set back further than required by the table, the new setback shall be the distance at which the primary residential structure is set.

(2) Minimum dimension requirements.

a. When an existing lot is reduced because of conveyance to a federal, state or local government for a public purpose, and the remaining area is at least 75 percent of the required minimum lot size for the district in which it is located, then that remaining lot shall be deemed to comply with minimum lot size requirements.

b. Minimum lot size requirements shall not be interpreted as prohibiting the construction of a single-family residential dwelling unit on a lot that was legally platted and recorded before the adoption of these regulations. For lots that are rendered non-conforming, the necessity of obtaining a variance from such created non-conformity shall not be required as a condition of issuance of a building permit, provided all setback and other requirements can be met.

c. When an existing setback is reduced because of conveyance to a federal, state or local government for a public purpose, and the remaining setback is at least 75 percent of the required minimum setback for the district in which it is located, then that remaining setback shall be deemed to satisfy minimum setback requirements.

(32) Maximum lot coverage.

a. The maximum lot coverage (all buildings) shall not exceed 40 percent in R-1, R-2, MF-1, and MF-2 zones.

b. The maximum lot coverage for the R-0 zone is 60 percent of the lot or parcel.

(43) Height limitations.

a. The maximum height for all structures is 35 feet in R-1, R-2, MF-1, and MF-2 zones. The maximum height for all structures is 20 feet in MHP zones.

b. The maximum height for all structures is 40 feet in the R-0 zone.

(54) *Off-street parking.*

a. Parking requirements for R-1 and R-2 zones are as follows:

2 per each single-family dwelling;

1 per each ten seats in a church auditorium or sanctuary;

1 per each 1,000 sq. ft. of school floor area; and

1 per each 500 sq. ft. of floor area in all other areas.

b. Parking requirements for MF-1 and MF-2 zones are as follows:

2 per each single-family dwelling in MF-1;

4 per each duplex;

6 per each triplex;

8 per each fourplex;

2 per each dwelling unit in any structure larger than a fourplex;

1 per 100 sq. ft. of school floor area; and

1 per each 500 sq. ft. of floor area in all other uses.

c. Parking requirements of MHP zones are one per each mobile home space.

d. Parking requirements for R-0 zones are as follows:

2 per each dwelling unit;

2 per each dwelling unit plus one per each 300 sq. ft. of office or business space in combination; and

1 per each 500 sq. ft. of floor area in all other uses.

Agenda Item 18

ORDINANCE NO. 2026-07

AN ORDINANCE ADDING SPECIFIC LANGUAGE TO THE FARMINGTON MUNICIPAL CODE SECTION 14.04.08 AND 15.04.03, REQUIRING ONE HALF STREET IMPROVEMENTS ON DEVELOPMENT PROJECTS, PROVIDING FOR AN EMERGENCY, AND OTHER PURPOSES

WHEREAS the Farmington City Council believes it to be in the best interest of the citizens of Farmington to require developers to improve one-half of the public street immediately adjacent to their developments; and

WHEREAS having fully reviewed the proposed changes, the Farmington City Council has determined that this change shall be made to Section 14.04.08 (Large Scale Developments) and 15.04.03 (Design Standards) to the Farmington Code of Ordinances.

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

Section 1: That Section 14.04.08 and 15.04.03 of the Farmington Code of Ordinances shall be amended to require developers improve one half of the public street adjacent to their developments as laid out in Exhibit A, attached hereto.

REPEALING CLAUSE. All other ordinances and parts of ordinances in conflict herewith are hereby repealed.

SEVERABILITY CLAUSE. In the event any portion of this Ordinance is declared to be inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

EMERGENCY CLAUSE: That the City Council of the City of Farmington, Arkansas further determines that this Ordinance is necessary to require developers improve one half the public street adjacent to their development, for the benefit of the citizens of the City; therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 9th day of March 2026.

APPROVED:

BY: _____
Ernie Penn, Mayor

ATTEST:

BY: _____
Kelly Penn, City Clerk

EXHIBIT

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EXHIBIT "A"

14.04.08:

b) Large scale development.

(1) A large scale development plan shall be required for all industrial and commercial developments, multifamily and residential developments without regard to lot size; all site improvements to real property zoned commercial and industrial; and additions to existing structures on real property zoned commercial and industrial, when the improvements or additions to existing structures exceed 25 percent of the remaining real property.

(2) A large scale development plan shall be submitted to the Planning Commission for their approval and shall include the following:

a. A map drawn to scale showing the size and shape of the property on which the development is proposed;

b. The location, size and arrangement of existing buildings, signs, improvements, water courses or bodies, and any other features that will remain after the development is completed;

c. The location and size of all proposed buildings, parking and loading areas, the type of surfacing proposed for such areas, streets, driveways, curb cuts, landscaping and any other facilities proposed;

d. A correct legal description;

e. The location and names of all abutting or intersecting streets;

f. The location of all proposed public facilities;

g. Sufficient right-of-way dedication to comply with the Master Street Plan; **and**

h. All developments that require planning approval will have to improve their half of all adjacent streets according to the Master Transportation Plan. This will include right-of-way, curb and gutter, pavement, drainage and sidewalk; and

ih. Sufficient easements to meet utility and drainage requirements.

Sec. 15.04.03. - Design standards.

(3) Street design principles.

Extension: All street extensions shall be projected at the same or greater width, but in no case less than the standards.

Substandard widths: Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the minimum widths listed. [All developments that require planning approval will have to improve their half of all adjacent streets according to the Master Transportation Plan. This will include right-of-way, curb and gutter, pavement, drainage and sidewalk.](#)

Street names: Names of streets shall be consistent with natural alignment and extensions of existing streets, and new street names must be used which will not duplicate or be confused with existing names.

Tangents: A straight tangent at least 100 feet long shall separate reverse curves.

Access: Safe and adequate vehicular and pedestrian access shall be provided to all parcels.

Access control: Local streets and drive-ways shall not detract from the safety and efficiency of bordering arterial routes.

Through traffic: Local street systems should be designed to minimize through traffic movements.

Speed: Local streets should be designed to discourage excessive speeds.

Pedestrian: Pedestrian-vehicular conflict points should be minimized.

Economy: A minimum amount of space should be devoted to street uses.

Traffic conflict: There should be a minimum number of intersections.

Street pattern: The arrangement of local streets should permit economical and practiced patterns, shapes and sizes of development parcels.

Topography: Local streets should be related to topography.

Agenda Item 19

ORDINANCE NO. 2026-08

AN ORDINANCE AMENDING THE FARMINGTON MUNICIPAL CODE SECTION 14.04.02, ADDING NEW DEFINITIONS TO THE ZONING CODE; PROVIDING FOR AN EMERGENCY, AND OTHER PURPOSES

WHEREAS the Farmington City Council believes it to be in the best interest of the citizens of Farmington to have up-to-date language and standards regarding zoning;

WHEREAS having fully reviewed the proposed changes, the Farmington City Council has determined that the following changes shall be made to Section 14.04.02 to the Farmington Code of Ordinances.

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

Section 1: That Section 14.04.02 of the Farmington Code of Ordinances shall be amended to include new dwelling definitions regarding loft living space, work/live space, and limited multifamily space, etc., as laid out in Exhibit A, attached hereto.

REPEALING CLAUSE. All other ordinances and parts of ordinances in conflict herewith are hereby repealed.

SEVERABILITY CLAUSE. In the event any portion of this Ordinance is declared to be inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

EMERGENCY CLAUSE: That the City Council of the City of Farmington, Arkansas further determines that this Ordinance is necessary to adequately and properly provide the proper and most up-to-date language and definitions in its zoning areas, for the benefit of the citizens of the City; therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 9th day of March 2026.

APPROVED:

BY: _____
Ernie Penn, Mayor

ATTEST:

BY: _____
Kelly Penn, City Clerk

EXHIBIT

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EXHIBIT "A"

Additional Definitions:

DWELLING LOFT LIVING SPACE. A dwelling unit located in a multi-story structure where commercial and residential uses are vertically separated with the commercial uses on the ground floor and the residential uses on the upper floors.

DWELLING LIVE/WORK. A building used jointly for commercial and residential purposes on the same floor and where the residential use of the building is secondary or accessory to the primary use as a place of work.

DWELLING LIMITED MULTIFAMILY. A dwelling, multifamily means a dwelling designed for or occupied by six (6) or fewer families living independently.

Existing definition:

Dwelling, multifamily means a dwelling designed for or occupied by three or more families living independently

Proposed Revision:

DWELLING, MULTIFAMILY. A dwelling, multifamily means a dwelling designed for or occupied by seven (7) or more families living independently.

Agenda Item 20

ORDINANCE NO. 2026-09

AN ORDINANCE AMENDING LANGUAGE TO THE FARMINGTON MUNICIPAL CODE SECTION 8.28, ADDING LANGUAGE TO ADDRESS PARKING IN MULTI-FAMILY ZONES AND AMENDING THE REQUIREMENT OF PARKING SPACES REQUIRED FOR CHURCHES AND ASSEMBLIES; PROVIDING FOR AN EMERGENCY, AND OTHER PURPOSES

WHEREAS the Farmington City Council believes it to be in the best interest of the citizens of Farmington to have up-to-date language and standards pertaining to parking in its city;

WHEREAS having fully reviewed the proposed changes, the Farmington City Council has determined that the following changes shall be made to Section 8.28 to the Farmington Code of Ordinances.

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

Section 1: That Section 8.28 of the Farmington Code of Ordinances shall be amended to require one parking space per rented room if the room is in a multi-family structure; additionally, Section 8.28 is amended to read churches and assemblies must provide one parking space for every four seats therein, as laid out in Exhibit A, attached hereto.

REPEALING CLAUSE. All other ordinances and parts of ordinances in conflict herewith are hereby repealed.

SEVERABILITY CLAUSE. In the event any portion of this Ordinance is declared to be inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

EMERGENCY CLAUSE: That the City Council of the City of Farmington, Arkansas further determines that this Ordinance is necessary to adequately and properly provide the proper and most up-to-date language and standards in its zoning areas, for the benefit of the citizens of the City; therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 9th day of March 2026.

APPROVED:

BY: _____
Ernie Penn, Mayor

ATTEST:

BY: _____
Kelly Penn, City Clerk

EXHIBIT

A

EXHIBIT "A"

Off Street Parking requirements	
Residential:	
	2 per each single-family dwelling;
	4 per each duplex;
	6 per each triplex;
	8 per each fourplex;
	2 per each dwelling unit in any structure larger than a fourplex; in the case of multi-family structures, if the rented space is per room, 1 parking space per room shall be required.
	For Live/Work and Loft type residential, 2 per each dwelling unit plus one per each 300 sq. ft. of office or business space in combination.
Non Residential:	
	1 per each room plus one per each employee for hotel and motels;
	1 per 200 sq. feet of floor area for offices;
	1 per 300 sq. ft. of floor area for commercial;
	1 per 4 seating capacity for restaurants;
	1 per 400 sq. ft. of floor area for services uses;
Assembly and other:	
	1 per each 4 seats in a church auditorium or sanctuary;
	1 per each 1,000 sq. ft. of school floor area; and
	1 per each 500 sq. ft. of floor area for all other uses.