



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 December 8<sup>th</sup>, 2025, 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, 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. City Council Member Keith Lipford was absent.**

#### **Pledge of Allegiance**

#### **Comments from Citizens –**

April Shy, Candidate for Washington County Juvenile Judge introduced herself to the council and those in attendance.

Carol Smith, Clubhouse Parkway resident, asked for information on the status of the Valley View Gold Clubhouse. Mayor Penn told her the city attorney would have an update a little later in the meeting.

#### **Approval of the November 10th, 2025, City Council Meeting Minutes**

On the motion of Council Member Morgan 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 7-0.

#### **Financial Reports**

Mayor Penn presented the financial reports to the City Council. Monthly city sales tax increased 11.58%, compared to 2024. Monthly state/county sales tax increased 2.05% compared to 2024.

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

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

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

### **City Attorney Jay Moore – Valley View Update**

This is a brief update of the Valley View Golf's ("VVG") lawsuit. On October 8, 2025, VVG through its attorney Lance Cox, filed a direct appeal and lawsuit against the City in Washington County Circuit Court. The lawsuit specifically appeals the council's decision from September to raze and remove the clubhouse, surrounding outbuildings, and pool ("Property"). The lawsuit asks for a temporary injunction preventing the City from razing and removing the Property until the lawsuit is final. The lawsuit also claims the City's razing process is unconstitutional and claims the City committed trespass on the VVG property and damages to the property. It also claims the City's razing process amounts to an unlawful taking of the VVG property. As a result of the lawsuit, the City retained the services of the Arkansas Municipal League ("AML") legal defense program. The program provides legal defense for various lawsuits against municipal governments. The AML attorneys have vast knowledge and experience in these types of lawsuits. On November 12, 2025, the attorney appointed by the league, Sara Monaghan, filed an answer to the lawsuit and requested the case be removed from state court to federal court. The case was then removed to federal court in Fayetteville on November 13, 2025. Moving forward, Ms. Monaghan will handle the lawsuit all while consulting with the City on strategic matters. It's my plan to update the council quarterly or whenever significant events occur.

### **Committee Reports – No committee reports were submitted.**

### **Items to be removed from the City of Farmington – Fire Department-Fire Chief Hellard**

On the motion of Council Member Carnahan and a second by Council Member Mathews, and by the consent of all Council Members present after a roll call vote, the motion to remove Hurst MOC Ultra Cutter Tag #0378 was approved 7-0.

### **Old Business – None**

### **New Business**

#### **Ordinance No. 2025-08 An ordinance to revise the city's Planning and Zoning regulations in response to ACT 314 of 2025; to eliminate references to extraterritorial jurisdiction; and for other purposes.**

A motion was made by Council Member Bell and seconded by Council Member Carnahan to suspend the rules requiring the motion to be read in full on three separate dates be suspended and that Ordinance 2025-08 be read one time by title only. After a roll call vote, the motion was approved 7-0. City Attorney Moore read the ordinance by title only. Mayor Penn asked Shall the Ordinance pass? After a roll call vote, Ordinance 2025-08 was approved by a vote of 7-0. A motion was made to pass Ordinance 2025-08 with an emergency clause by Council Member Carnahan and seconded by Council Member Morgan, after a roll call vote, the motion was approved 7-0.

#### **Ordinance No. 2025-09 an ordinance to amend the city of Farmington Planning and Zoning Regulations by established accessory dwelling unit regulations in compliance with ACT 313 of 2025; and for other purposes.**

A motion was made by Council Member Carnahan and seconded by Council Member Morgan to suspend the rules requiring the motion to be read in full on three separate dates be suspended and that Ordinance 2025-09 be read one time by title only. After a roll call vote, the motion was approved 7-0. City Attorney Moore read the ordinance by title only. Mayor Penn asked Shall the Ordinance pass? After a roll call vote, Ordinance 2025-09 was approved by a vote of 7-0. A motion was made to pass Ordinance 2025-09 with an emergency clause by Council Member Carnahan and seconded by Council Member Bell, after a roll call vote, the motion was approved 7-0.

**Ordinance No. 2025-10 an ordinance to implement and codify ACT 591 of 2025 (allowing third-party plan review and inspection) within the City of Farmington; providing procedures, qualifications, and requirements; and for other purposes.**

A motion was made by Council Member Bell and seconded by Council Member Morgan to suspend the rules requiring the motion to be read in full on three separate dates be suspended and that Ordinance 2025-10 be read one time by title only. After a roll call vote, the motion was approved 7-0. City Attorney Moore read the ordinance by title only. Mayor Penn asked Shall the Ordinance pass? After a roll call vote, Ordinance 2025-10 was approved by a vote of 7-0. A motion was made to pass Ordinance 2025-10 with an emergency clause by Council Member Bell and seconded by Council Member Morgan, after a roll call vote, the motion was approved 7-0.

**A Resolution for the adoption of a budget for the city of Farmington, Arkansas, for the twelve (12) months beginning January 1, 2026, and ending December 31, 2026, appropriating money for each item of expenditure therein provided for, and other purposes.**

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 approve Resolution No. 2025-16 was approved 7-0.

**Motion to Adjourn**

There being no further business coming before the council, the meeting adjourned at 6:36 pm by a motion from Council Member Bryant and a second by Council Member Mathews until the next regularly scheduled meeting to be held Monday, January 12, 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 \_\_\_\_\_