

**LOWELL CITY COUNCIL MINUTES
REGULAR COUNCIL MEETING
DECEMBER 17, 2019 - 6:30PM**

INVOCATION: Sgt. Pile

PLEDGE OF ALLEGIANCE: Mayor Chris Moore

CALL TO ORDER OF REGULAR COUNCIL MEETING: The Regular Meeting of the Lowell City Council was called to order at 6:34pm by **Mayor Chris Moore** at the Lowell Council Chambers.

ROLL CALL: Mayor Chris Moore asked the City Clerk for a verbal roll call. Council Members present were Linda Vannoy, David Adams, Chasity Taylor, Dean Bitner, Thomas Evers, Todd Fenix and Lisa DeGifford and Eric Schein. Deputy Attorney Kieklak was present, also. There was quorum. A roster of all others in attendance is on file with these minutes.

CONSENT AGENDA:

**Lowell City Council Minutes Regular Meeting – November 19, 2019
Financial Statement – November 2019**

Motion to approve the Consent Agenda.

Motion: Dean Bitner

Second: David Adams

Vote Aye: Evers, Adams, Vannoy, Taylor, Fenix, DeGifford, Schein, Bitner

Vote Nay: None

Motion to approve Consent Agenda approved.

PRESENTATIONS:

Captain Kuth announced promotions of Sgt. Mike Henson, Sgt. Edgar Garcia, Lt. Kris Spangler, Lt. Kno Phonexaphoua, Matthew Walker was presented with a Life Saving Award.

PUBLIC FORUM: Open: 6:45PM Close: 6:48PM

Paul Chapracki, 12896 Frisco Cemetery Road, commented he would like to see annexation of property in his area brought into City of Lowell. He also didn't want the quarry to be approved.

Alfred Jones, 12590 Cross Hollow Road, objected to the proposed limestone quarry and was interested in being annexed into the City of Lowell.

PROCEDURAL MOTION TO DISPENSE WITH THE RULE AND READ ALL ORDINANCES ONE TIME BY TITLE ONLY.

Motion to approve Procedural Motion.

Motion: Todd Fenix

Second: Eric Schein

Voice Vote Aye: Fenix, Adams, Vannoy, Taylor, Evers, Bitner, Schein, DeGifford

Voice Vote Nay: None

Motion to approve Procedural Motion approved.

OLD BUSINESS: None

NEW BUSINESS:

1. A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF LOWELL TO PARTNER WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR THE MCCLURE AVE. RR SIGNALS UPGRADE AND RAIL-HIGHWAY CROSSING IMPROVEMENT.

The crossing at McClure Ave. in the City of Lowell has been identified by the Arkansas Department of Transportation to receive RHCP funding of 90% of the cost with the City of Lowell paying remaining 10%.

Motion to approve Resolution as presented.

Motion: Eric Schein

Second: David Adams

Vote Aye: Fenix, Adams, Vannoy, Evers, Taylor, Bitner, Schein, DeGifford

Vote Nay: None

Motion to approve Resolution passed.

Resolution assigned No. 19-45.

2. RESOLUTION TO ADOPT AND APPROVE AMENDMENTS TO THE 2019 BUDGET FOR THE CITY OF LOWELL, AR.

The 2019 City of Lowell Budget was adopted on December 21, 2018 and after a thorough study of current finances, there is an immediate need to amend the 2019 budget to reconcile the actual expenditures and receipts with the 2019 budget predictions for on-going projects.

Motion to approve Resolution as presented.

Motion: Dean Bitner

Second: David Adams

Vote Aye: Adams, Vannoy, Taylor, Fenix, DeGifford, Schein, Bitner, Evers

Vote Nay: None

Motion to approve Resolution as presented was approved

Resolution assigned No. 19-46.

3. RESOLUTION OF THE CITY COUNCIL OF LOWELL, ARKANSAS CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF BUSINESS TO PARTICIPATE IN THE TAX BACK PROGRAM (AS AUTHORIZED BY SECTION 15-4-2706(D) OF THE CONSOLIDATED INCENTIVE ACT OF 2003).

Steve Cox, Senior vice President of Development of Rogers-Lowell Chamber of Commerce, explained this was part of the original expansion approved earlier when they built the new tax center. They hired enough people that they needed a new building that was not officially planned. J B Hunt Transport, Inc. has requested to participate in the program and requested benefits accruing from construction and modernization of their newest facility.

Motion to approve Resolution as presented.

Motion: David Adams

Second: Dean Bitner

Vote Aye: Adams, Evers, Fenix, Schein, DeGifford, Bitner, Taylor, Vannoy

Vote Nay: None

Motion to approve Resolution passed.

Resolution assigned No. 19-47.

4. RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BY AND BETWEEN THE CITY OF LOWELL AND CRAFTON TULL AND ASSOCIATES, INC. FOR THE PURPOSE OF PROFESSIONAL SERVICES FOR SCHOOL AVENUE, ROBNSON AVENUE AND DIANA PLACE ROAD EXTENSIONS.

The extension of the above roads is required for continued orderly growth of the City of Lowell. It is important to have the cost of this work established so outside funding may be applied for.

Motion to approve Resolution as presented.

Motion: Linda Vannoy

Second: David Adams

Vote Aye: Fenix, Adams, Vannoy, Taylor, Evers, Bitner, DeGifford

Abstained: Schein

Motion to approve Resolution passed.

Resolution assigned No. 19-48.

5. RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF LOWELL AND ROGERS WATERWORKS & SEWER COMMISSION THROUGH THE ROGERS WATER UTILITIES RELATED TO PROVIDING WATER SERVICE FOR THE CITY OF LOWELL.

The current waterworks contract has been in place for 30 years and is set to expire January 8, 2020. It is in the best interest of the City of Lowell to renew this contract.

Motion to approve Resolution as presented.

Motion: Todd Fenix

Second: David Adams

Vote Aye: Adams, Vannoy, Taylor, Fenix, DeGifford, Schein, Bitner

Abstained: Evers

Motion to approve Resolution passed.

Resolution assigned No. 19-49.

6. RESOLUTION TO APPROVE AN AGREEMENT TO PROVIDE EMERGENCY SERVICES TO THE CITY OF BETHEL HEIGHTS AND TO AUTHORIZE THE MAYOR TO SIGN AN AGREEMENT TO DO SO.

This contract does not have administrative services and but does provide emergency services at a flat rate.

Motion to approve Resolution as presented.

Motion: Eric Schein

Second: David Adams

Vote Aye: Adams, Fenix, Vannoy, Taylor, Bitner, Evers, Schein, DeGifford

Vote No: None

Motion to approve Resolution passed.

Resolution assigned No. 19-50.

7. RESOLUTION TO APPROVE AN AGREEMENT TO PROVIDE AMBULANCE SERVICE TO THE CITY OF BETHEL HEIGHTS AND TO AUTHORIZE THE MAYOR TO SIGN AN AGREEMENT TO DO SO.

This contract only provides ambulance service to the City of Bethel Heights.

Motion to approve Resolution as presented.

Motion: Todd Fenix

Second: David Adams

Vote Aye: Fenix, Adams, Vannoy, Taylor, Evers, Bitner, Schein, DeGifford

Vote Nay: None

Motion to approve Resolution passed.

Resolution assigned No. 19-51.

ANNOUNCEMENTS:

Discussion pertained to possibility of future Council Meetings going paperless. Councilmen were directed to give their comments to Melanie.

Benton County Planning Commission will meet Wednesday, December 18, to determine the future of the limestone quarry.

Annexation into City of Lowell needs to be addressed at a future Council Meeting.

ADJOURNMENT: Motion to adjourn by Dean Bitner and second by David Adams. There being no objections, the meeting adjourned at 7:23pm.

ATTEST:


City Clerk/Elizabeth Estes



APPROVED:


Mayor/Chris Moore

City of Lowell

Minutes of the Regular Council Meeting

December 17, 2019