

**LOWELL CITY COUNCIL MINUTES
REGULAR COUNCIL MEETING
OCTOBER 16, 2018 - 6:35PM**

CALL TO ORDER OF REGULAR COUNCIL MEETING: The Regular Meeting of the Lowell City Council was called to order at 6:30PM by Mayor Long at the Lowell Council Chambers.

INVOCATION: The Invocation was given by Chaplain Jacque Eakins.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Mayor Eldon Long.

ROLL CALL: Mayor Long asked for roll call. City Clerk made a verbal roll call. Council Members present were Todd Fenix, Eric Schein, Kendell Stucki, Linda Vannoy, David Adams, Lonnie Jones, Dean Bitner, and Thomas Evers arrived after Roll Call. 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 – September 18, 2018
Financial Statement – September 2018

Motion made to accept the Consent Agenda.

Motion: Todd Fenix

Second: David Adams

Voice Vote Aye: Unanimous

Voice Vote Nay: None

Motion to accept Consent Agenda approved

PUBLIC FORUM: Open: 6:34PM Close: 6:34PM

MOTION TO AMEND AGENDA TO ADD FOUR RESOLUTIONS:

ITEM #9: RESOLUTION: AUTHORIZING THE MAYOR TO EXECUTE A DONATION AGREEMENT BY AND BETWEEN THE TRUSTEES OF THE LEONARD JOHNSON REVOCABLE TRUST U/T/A JULY 14, 2011 AND THE CITY OF LOWELL FOR FUNDS TO BUILD A FARMERS' MARKET AND TRAILHEAD WITH ACCESSIBLE FACILITIES ON THE KATHLEEN JOHNSON MEMORIAL PARK IN LOWELL, ARKANSAS.

ITEM #10: RESOLUTION: AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE WALTON FAMILY FOUNDATION TO DESIGN AND CONSTRUCT A NEW TRAILSPUR FROM THE RAZORBACK GREENWAY TO A NEW TRAILHEAD IN LOWELL, ARKANSAS.

ITEM #11: RESOLUTION APPROPRIATING FUNDING FOR A NEW FIRE ENGINE INTO THE FIRE DEPARTMENT LINE ITEM DURING THE FISCAL YEAR OF 2018.

ITEM #12: ORDINANCE: TO WAIVE COMPETITIVE BIDDING AND AUTHORIZING THE MAYOR OF THE CITY OF LOWELL TO EXECUTE A CONTRACT BY AND BETWEEN FERRARA FIRE APPARATUS, INC., FOR THE PURCHASE OF A FIRE ENGINE FOR THE CITY OF LOWELL FIRE DEPARTMENT.

Motion to approve amending the agenda and adding Items #9-12 as presented.

Motion: Dean Bitner

Second: Kendell Stucki

Voice Vote Aye: Unanimous

Voice Vote Nay: None

Motion to approve amending the agenda and adding Items #9-12 approved.

PROCLAMATION: 2018 "EXTRA MILE DAY". Citizens are encouraged to give of themselves wholeheartedly and with total effort, commitment, and conviction to family, friends, and community.

Motion to accept Proclamation: 2018 "Extra Mile Day".

Motion: Dean Bitner

Second: David Adams

Voice Vote Aye: Unanimous

Voice Vote Nay: None

Motion to accept Proclamation: 2018 "Extra Mile Day" passed.

PRESENTATION OF ORDINANCES AND RESOLUTIONS

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

Motion made to suspend the rule and to read ordinances one time by title only.

Motion: Todd Fenix

Second: Linda Vannoy

Vote Aye: Bitner, Stucki, Vannoy, Evers, Adams, Schein, Jones, Fenix

Vote Nay: None

Motion to suspend the rule and to read ordinances one time by title only approved.

OLD BUSINESS: None.

NEW BUSINESS:

1. ORDINANCE REZONING APPROXIMATELY 13.05 ACRES OF REAL PROPERTY LOCATED AT COLUMBIA PLACE AND ROBINSON AVENUE FROM PLANNED UNIT DEVELOPMENT DISTRICT (PUD) AND COMMERCIAL (C) TO PLANNED UNIT DEVELOPMENT DISTRICT (PUD).

Revision of original PUD approved by planning commissioners at their last meeting. Proposal is for creating a smaller residential lot along N. Bloomington St. while utilizing the remainder of the property along with Lot 2 of the Parkside Patio Homes Phase 1 property for a combination of single and multi-family residential housing. It will include 6 multi-family lots along with 14 single-family on zero lot line lots with a minimum of 15-feet between buildings.

Motion to approve Ordinance as presented.

Motion: Todd Fenix

Second: Kendell Stucki

Vote Aye: Fenix, Adams, Vannoy, Evers, Bitner, Schein, Stucki

Vote Nay: Jones

Motion to approve Ordinance as presented approved.

City Clerk read Ordinance by title only.

Ordinance assigned No. 1022.

2. RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF LOWELL TO ACCEPT A BID FROM AND ENTER INTO CONTRACT WITH NEC, INC. FOR THE KATHLEEN JOHNSON MEMORIAL PARK WATER & SEWER LINE EXTENSION PROJECT.

The lowest and best bid was submitted by NEC, Inc. for \$505,115.00 for water and sewer extension for the KJMP. City officials will be visiting with Springdale Water & Sewer concerning material participation on the project.

Motion made to approve Resolution as presented.

Motion: Dean Bitner

Second: Thomas Evers

Vote Aye: Evers, Adams, Vanoy, Jones, Fenix, Stucki, Schein, Bitner

Vote Nay: None

Motion to approve Resolution was approved.

Resolution assigned No. 18-40.

3. RESOLUTION APPROPRIATING FUNDING FOR ON-GOING PROJECTS IN THE GENERAL FUND RESERVES DURING THE FISCAL YEAR OF 2018 (KJMP WATER AND SEWER LINE EXTENSION).

Resolution is for funding of the water and sewer extension for KJMP as proposed in Resolution #2 above.

Motion made to approve Resolution as presented.

Motion: Dean Bitner

Second: David Adams

Vote Aye: Bitner, Evers, Vannoy, Jones, Fenix, Adams, Schein, Stucki

Vote Nay: None

Motion to approve Resolution was approved.

Resolution assigned No. 18-41.

4. RESOLUTION APPROPRIATING FUNDING FOR THE PURCHASE OF "NO PARKING SIGNS".

Amount of \$35,000.00 appropriated out of Street Fund Reserves into Street Department for signage to purchase "No Parking" signs in accordance with Ordinance No. 1020.

Motion to approve Resolution as presented.

Motion: Kendell Stucki

Second: David Adams

Vote Aye: Fenix, Adams, Evers, Bitner, Stucki

Vote Nay: Vannoy, Jones, Schein

Motion to approve Resolution as presented approved.

Resolution assigned No. 18-42.

5. RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF LOWELL AND MCCLELLAND ENGINEERS, INC. FOR ENGINEERING SERVICES FOR THE DESIGN AND CONSTRUCTION OF THE EASTERN EXTENSION OF ZION CHURCH ROAD IN LOWELL, ARKANSAS.

Kevin Beaumont, McClelland Engineering Services, presented the proposal to provide Civil Engineering Services for the design and construction for the eastern extension of Zion Church Road. Funding is in the budget for this project.

Motion to approve Resolution as presented.

Motion: Dean Bitner

Second: Kendell Stucki

Vote Aye: Evers, Fenix, Bitner, Adams, Jones, Stucki

Vote Nay: Vannoy, Schein

Motion to approve Resolution as presented approved.

Resolution assigned No. 18-43

RECESS COUNCIL MEETING - BEGIN: 7:22PM END: 730PM. All councilmen returned to their seats.

6. RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF LOWELL AND MCCLELLAND ENGINEERS, INC. FOR ENGINEERING SERVICES FOR

THE DESIGN AND CONSTRUCTION OF THE GREENWAY TRAIL, NAMELY A TRAIL BETWEEN THE KATHLEEN JOHNSON MEMORIAL PARK TRAILHEAD AND MILLS LANE IN LOWELL, ARKANSAS.

Kevin Beaumont, McClelland Engineering Services, presented a proposal for the design and construction of the Connector Trail to the Razorback Regional Greenway Trail, namely a trail between the proposed Kathleen Johnson Memorial Park Trailhead and Mills Lane.

Motion to approve Resolution as presented.

Motion: Dean Bitner

Second: David Adams

Vote Aye: Fenix, Adams, Vannoy, Jones, Evers, Bitner, Stucki

Vote Nay: Schein

Motion to approve Resolution as presented approved.

Resolution assigned No. 18-44.

7. RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF LOWELL AND MCCLELLAND ENGINEERS, INC. FOR ENGINEERING SERVICES FOR THE EVALUATION AND DESIGN OF A RETENTION POND AS WELL AS A DETENTION POND AT THE KATHLEEN JOHNSON MEMORIAL PARK IN LOWELL, ARKANSAS.

Kevin Beaumont, McClelland Engineering Services, presented a proposal for the evaluation and design of a retention pond as well as a dry detention pond/practice field for the Kathleen Johnson Memorial Park.

Motion to approve Resolution as presented.

Motion: Kendell Stucki

Second: Dean Bitner

Vote Aye: Bitner, Evers, Vannoy, Jones, Fenix, Adams, Schein, Stucki

Vote Nay: None.

Motion to approve Resolution as presented approved.

Resolution assigned No. 18-45

8. APPOINTMENT OF MELANIE HOUSTON AS DEPUTY CITY CLERK UNTIL JANUARY 2019.

Melanie Houston appointed to serve as Deputy City Clerk until January 2019.

Motion to approve Appointment as presented.

Motion: Linda Vannoy

Second: Thomas Evers

Voice Vote Aye: Unanimous

Voice Vote Nay: None.

Motion to approve Appointment as presented approved.

9. RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A DONATION AGREEMENT BY AND BETWEEN THE TRUSTEES OF THE LEONARD JOHNSON REVOCABLE TRUST U/T/A JULY 14, 2011 AND THE CITY OF LOWELL FOR FUNDS TO BUILD A FARMERS' MARKET AND TRAILHEAD WITH ACCESSIBLE FACILITIES ON THE KATHLEEN JOHNSON MEMORIAL PARK IN LOWELL, ARKANSAS.

The Leonard Johnson Revocable Trust will donate \$600,000.00 to the City of Lowell for the construction of a Farmers' Market Building and parking lot, as well as a trailhead with handicapped accessible facilities, utilities and storage on the Kathleen Johnson Memorial Park. (These funds will be partly utilized, along with existing grant funds, to match Walton Family Foundation obligations)/

Motion to approve Resolution as presented.

Motion: Linda Vannoy

Second: Kendell Stucki

Voice Vote Aye: Unanimous

Voice Vote Nay: None

Motion to approve Resolution as presented approved.

Resolution assigned No. 18-46.

10. RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE WALTON FAMILY FOUNDATION TO DESIGN AND CONSTRUCT A NEW TRAILSPUR FROM THE RAZORBACK GREENWAY TO A NEW TRAILHEAD IN LOWELL, ARKANSAS.

The proposal and application for funds to build a trails spur from the Razorback Greenway to a new trailhead in Lowell has been accepted by the Walton Family Foundation. The Walton Family Foundation has approved a grant for \$650,126.00 for the purpose of designing and building the trailhead.

Motion to approve Resolution as presented.

Motion: Linda Vannoy

Second: Kendell Stucki

Voice Vote Aye: Unanimous

Voice Vote Nay: None

Motion to approve Resolution as presented approved.

Resolution assigned No. 18-47.

11. RESOLUTION APPROPRIATING FUNDING FOR A NEW FIRE ENGINE INTO THE FIRE DEPARTMENT LINE ITEM DURING THE FISCAL YEAR OF 2018.

Chief Mike Morris expressed the need to add the new fire engine immediately to meet the needs of the fire department. Chief Morris has all but \$57,000.00 in his budget to purchase the fire engine. He asked for a loan from the city's general fund account and he will pay it back from the Act 833 Account as funds become available to the fire department.

Motion to approve Resolution as presented.

Motion: Eric Schein

Second: Kendell Stucki

Vote Aye: Stucki, Jones, Fenix, Bitner, Vannoy, Evers, Adams, Schein

Vote Nay: None.

Motion to approve Resolution as presented approved.

Resolution assigned No. 18-48.

12. ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZING THE MAYOR OF THE CITY OF LOWELL TO EXECUTE A CONTRACT BY AND BETWEEN FERRARA FIRE APPARATUS, INC., FOR THE PURCHASE OF A FIRE ENGINE FOR THE CITY OF LOWELL FIRE DEPARTMENT.

Chief Mike Morris advised that he had investigated the purchase of a fire engine to meet his department's needs and determined that Ferrara Fire Apparatus, Inc. was the only company that could meet his specifications.

Motion to approve Ordinance as presented.

Motion: Dean Bitner

Second: Kendell Stucki

Vote Aye: Evers, Vannoy, Jones, Fenix, Stucki, Bitner, Adams, Schein

Vote Nay: None.

Motion to approve Ordinance as presented approved.

City Clerk read the Ordinance by title only.

Ordinance assigned No. 1023.

COMMITTEE REPORTS: KJMP Steering Committee met 10/11/18. Those minutes will be included in the November 13th City Council packet.

ANNOUNCEMENTS:

1. 2019 Annual Budget Discussion – Jerry Hudlow. The Council decided to meet October 30 and November 7 to go over individual department budgets. Meetings will begin at 6pm.
2. Reminder that the November City Council Meeting will be November 13, 2018.
3. Museum Invitation to “We Salute Veterans” Event 11/6/18.
4. Museum “Cowboy Days” Events at Lowell & Tucker Elementary Schools.
5. November 6, 2018 is General Election.
6. First Tee added new indoor golf range with a ribbon cutting 10/16/18.
7. KJMP 12’ wide oval overlay is finished. Veteran stations and pads are in also.
8. Early Voting for General Election begins October 22, 2018 at the Rogers Lowell Chamber of Commerce.
9. Tree planted on City Hall lawn outside Mayor Long’s window in memory of his mother. Mayor Long thanked everyone for their prayers and cards to his family concerning his mother’s passing.

ADJOURNMENT: Motion to adjourn; motion by Dean Bitner and second by Kendell Stucki. There being no objections, the meeting adjourned at 8:25pm.

ATTEST:


City Clerk/Elizabeth Estes



APPROVED:


Mayor/Eldon Long

City of Lowell

Minutes of the Regular Council Meeting

October 16, 2018