

**LOWELL CITY COUNCIL MINUTES
REGULAR COUNCIL MEETING
FEBRUARY 21, 2023**

MAYOR CHRIS MOORE – 2023 STATE OF THE CITY

INVOCATION: Rev. Brian Clark

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 6:49pm.

ROLL CALL: Mayor Chris Moore asked City Clerk for a verbal roll call. Council Members present were Steve Whitehead, Eric Schein, Lisa DeGifford, Bill Adams, Bryant Sands, Kendell Stucki, Roy Brunson, Adrian Flores. Deputy City Attorney Kieklak was present. A roster of all others in attendance is on file with these minutes.

CONSENT AGENDA ITEMS:

Lowell City Council Minutes Regular Meeting – January 17, 2023
Financial Statement – January 2023

Motion to approve the Consent Agenda.

Motion: Eric Schein

Second: Kendell Stucki

Vote Aye: B. Adams, DeGifford, Schein, Stucki, Whitehead, Flores, Bryant, Brunson

Vote Nay: None

Motion to approve the Consent Agenda approved.

PUBLIC FORUM: Open: 6:51PM Close: 6:51PM

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

Bill Adams stated that state statute said we should present ordinances three times so we can understand what they were about before we voted. Mayor Chris Moore said the state statute did say that, but that we were also able to dispense with the rule and read all ordinances one time by title only.

Motion to approve Procedural Motion as presented.

Motion: Lisa DeGifford

Second: Eric Schein

Vote Aye: Flores, Schein, DeGifford, Whitehead, Stucki, Sands, Brunson

Vote Nay: Bill Adams

Motion to approve Procedural Motion as presented approved.

OLD BUSINESS: None

NEW BUSINESS:

1 – ORDINANCE – REZONING CERTAIN LANDS FROM SUBURBAN NEIGHBORHOOD (R-1) AND INTERMEDIATE NEIGHBORHOOD (R-2) TO NEIGHBORHOOD COMMERCIAL (C-1) IN THE CITY OF LOWELL, ARKANSAS.

This rezoning is recommended by the Lowell Planning Commission to return the three properties to the zone which reflects the highest and best use of the properties.

Motion to approve Ordinance as presented.

Motion: Eric Schein

Second: Roy Brunson

Vote Aye: Schein, B. Adams, Sands, Flores, Whitehead, Stucki, DeGifford, Brunson

Vote Nay: None

Motion to approve Ordinance approved.

City Clerk read Ordinance one time by title only.

Ordinance Assigned No. 1115.

2 – ORDINANCE AMENDING SECTION 16-199 ACCESSORY USES OF THE LOWELL MUNICIPAL CODE.

It has become apparent to the City Council of Lowell that a need exists to amend Section 16-199 Accessory Uses in order to provide updated regulations for accessory building location requirements and standards.

Motion to approve Ordinance.

Motion: Steve Whitehead

Second: Eric Schein

Vote Aye: Schein, Sands, Flores, B. Adams, Whitehead, Stucki, DeGifford, Brunson

Vote Nay: None

Motion to approve Ordinance approved.

City Clerk read Ordinance one time by title only.

Ordinance Assigned No. 1116.

3 – RESOLUTION DECLARING SURPLUS AND AUTHORIZE THE SALE OF CERTAIN FIRE DEPARTMENT EQUIPMENT FOR THE CITY OF LOWELL, ARKANSAS.

The Fire Department has advised the City Council that a 2002 Freightliner Rescue Truck is of no further use to the City of Lowell and should be disposed of as surplus property. The Lowell Fire Chief has received offers from other cities in Arkansas to purchase the 2002 Freightliner Rescue Truck to utilize in emergency services. The City Council has determined it to be in the best interest and benefit the community to declare the 2002 Freightliner Rescue Truck as surplus and to authorize Mayor Moore to execute the sale of the 2002 Freightliner Rescue Truck for the purchasing city to utilize in emergency services as permitted by and in accordance with state and federal law.

Motion to approve Resolution.

Motion: Steve Whitehead

Second: Kendell Stucki

Vote Aye: DeGifford, Stucki, Sands, Schein, Flores, Whitehead, B. Adams, Brunson

Vote Nay: None

Motion to approve Resolution approved.

Resolution assigned No. 23-03.

4 – RESOLUTION DECLARING SURPLUS AND AUTHORIZE THE SALE OF CERTAIN STREET DEPARTMENT EQUIPMENT FOR THE CITY OF LOWELL, ARKANSAS.

The Street Department of the City of Lowell has advised the City Council that certain equipment: 2006 Asphalt Roller; 2000 twelve-ton trailer; 2004 seven-ton trailer; and 2001 Tymco Street Sweeper to be sold to other agencies for related services and those which cannot be sold, be sold by sealed bid in the same manner in which bids are taken in the City of Lowell to dispose of surplus property.

Motion to approve Resolution.

Motion: Lisa DeGifford

Second: Steve Whitehead

Vote Aye: Schein, Brunson, Sands, DeGifford, Flores, Whitehead, B. Adams, Stucki

Vote Nay: None

Motion to approve Resolution approved.

Motion Assigned No. 23-04.

5 – RESOLUTION AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH MCCLELLAND CONSULTING ENGINEERS, INC. FOR THE HONEYSUCKLE STREET SIDEWALK EXTENSION PROJECT IN THE CITY OF LOWELL, ARKANSAS.

The City of Lowell as received a \$500,000.00 grant from the Arkansas Department of Transportation which will provide funding for the City's sidewalk projects in compliance with ARDOT's federal funding requirements and specifications; and the City of Lowell desires to enter into an Agreement to Furnish Honeysuckle Sidewalk Extension Project, in accordance with the requirements of and specifications of the grant awarded by ARDOT; and after receiving/reviewing the Agreement, has determined that it is in the best interest and benefit to the community to authorize the Mayor to negotiate and execute the Agreement with McClelland Consulting Engineers, Inc. for the Honeysuckle Street Sidewalk Extension Project.

Motion to approve Resolution.

Motion: Bill Adams

Second: Adrian Flores

Vote Aye: DeGifford, Stucki, Sands, Schein, Whitehead, B. Adams, Brunson

Vote Nay: Flores

Motion to approve Resolution approved.

Motion Assigned No. 23-05

6 – RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 FOR THE PUPPY CREEK BRIDGE IMPROVEMENTS PROJECT IN THE CITY OF LOWELL, ARKANSAS.

The City of Lowell has executed a Professional Services Agreement with Crafton, Tull, & Associates Inc. for the Puppy Creek Bridge Improvement Project. After consultation with the project engineer, it is apparent that the project will require a change order for the modification of the existing channel to groundwater issues that will result in a contract sum in the approximate amount of \$143,350.00; and Mayor Moore is authorized to execute Change Order No. 2.

Motion to approve Resolution changing word "sewer" to "bridge".

Motion: Eric Schein

Second: Lisa DeGifford

Vote Aye: B. Adams, Schein, Sands, Stucki, Flores, Brunson, Whitehead, DeGifford

Vote Nay: None

Motion to approve Resolution changing word "sewer" to "bridge" approved.

Motion to approve Resolution.

Motion: Lisa DeGifford

Second: Eric Schein

Vote Aye: Stucki, DeGifford, Schein, Flores, Whitehead, Sands, Brunson

Vote Nay: B. Adams

Motion to approve Resolution approved.

Motion Assigned No. 23-06

ANNOUNCEMENTS / DISCUSSION:

The next City Council is scheduled to be on March 21, 2023, which is Springbreak. Councilmen approved to move the meeting from March 21st to March 28, 2023.

Motion to change City Council Meeting from March 21st to March 28th.

Motion: Bill Adams

Second: Roy Brunson

Vote Aye: B. Adams, Schein, Sands, Stucki, Flores, Brunson, Whitehead, DeGifford

Vote Nay: None

Motion to change City Council Meeting from March 21st to March 28th approved.

ADJOURNMENT: Entertain a motion to adjourn. Motion: Eric Schein. Second: Roy Brunson. There being no objections, the meeting adjourned at 7:37pm.

ATTEST:



City Clerk/Elizabeth Estes



APPROVED:



Mayor/Chris Moore

City of Lowell

Minutes of the Regular Council Meeting

February 21, 2022