

**LOWELL CITY COUNCIL MINUTES
REGULAR COUNCIL MEETING
MAY 21, 2019 - 6:30PM**

INVOCATION: The Invocation was given by Richard Stone.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Mayor Chris Moore.

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

ROLL CALL: **Mayor Moore** asked the City Clerk for a verbal roll call. Council Members present were **Todd Fenix, Linda Vannoy, David Adams, Chasity Taylor, Dean Bitner and Thomas Evers, Eric Schein and Lisa DeGifford. 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 – April 16, 2019
Financial Statement – April 2018**

Motion made to approve the Consent Agenda.

Motion: Dean Bitner

Second: Eric Schein

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

Vote Nay: None

Motion to approve Consent Agenda approved.

PRESENTATIONS: Mayor Moore presented Chief Pete Melnicki as the new Lowell Fire Chief. Mrs. Melnicki put the pins on her husband's uniform.

PUBLIC FORUM: Open: 6:37PM Close: 6:41PM

Casey Kuth, 603 Concord Street, asked that the Councilmen help save the oak tree on the front lawn of the Lowell Elementary School. She suggested letters could be sent to the superintendent of the Rogers-Lowell School District.

Nathan, 806 Henrietta Place, asked about the procedure to remove abandoned houses on Old Wire Road between Apple Blossom and McClure Avenue. He also recommended the stop sign at Honeysuckle and McClure be removed to help traffic flow. Mayor Moore explained the houses were in Benton County and they would have to be contacted about the procedure to remove abandoned homes on Old Wire Road. As to the stop sign, he would refer the matter to the city council, police and fire departments.

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

Motion to approve Procedural Motion.

Motion: Dean Bitner

Second: Todd Fenix

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

Vote Nay: None

Motion to approve Procedural Motion approved.

OLD BUSINESS: None.

NEW BUSINESS:

1. ORDINANCE AMENDING ORDINANCE NO. 855 IMPOSING AN INCREASE OF FINES ON MISDEMEANORS AND TRAFFIC VIOLATIONS; AND COMMITTING THE INCOME TO PAYMENT OF PRISONER INCARCERATION COSTS.

Fines for traffic violations or misdemeanors will be increased from \$10 to \$20 beginning July 1, 2019. Funds generated by the fines will be used to defray the City's costs of incarcerating prisoners. A new jail will not be constructed at this time.

Motion made to approve Ordinance as presented.

Motion: Eric Schein

Second: Lisa DeGifford

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

Vote Nay: None

Motion to approve Ordinance was approved.

City Clerk read the Ordinance by title only.

Ordinance assigned No. 1034.

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

The 2019 amended budget has been amended as follows:

General Fund Revenues: Acct. #101-000-699.007; Transfer In – Rogers Sewer \$37,700.00.

Sewer Accounts: Acct. #595-595-999.007; Transfer Out – Rogers Sewer \$37,700.00.

(Payment of Low Pressure Sewer System Engineering)

Utilities Fund: Acct. #590-590-935.051; into Cross Creek Project \$260,000.00.

Motion made to approve Resolution as presented.

Motion: Linda Vannoy

Second: Chasity Taylor

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

Vote Nay: None

Motion to approve Resolution approved.

Resolution assigned No. 19-22.

3. RESOLUTION APPROVING ADDENDUM TO NO. 1 TO THE AGREEMENT FOR PROFESSIONAL SERVICES BY AND BETWEEN GARVER, LLC AND THE CITY OF LOWELL, ARKANSAS.

Addendum No. 1 will provide for gravity sewer improvements with the Cross Creek drainage basin, generally extending the gravity sewer from the confluence of Spring Creek and Cross Creek to the Kathleen Johnson Memorial Park with the City of Lowell.

Motion made to adopt Resolution as presented.

Motion: David Adams

Second: Thomas Evers

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

Vote Nay: None

Motion to adopt Resolution as presented was approved.

Resolution assigned No. 19-23.

4. RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A PROPOSAL BY AND BETWEEN THE CITY OF LOWELL AND MOTOROLA SOLUTIONS, INC. FOR THE PURPOSE OF UPDATING DISPATCH HARDWARE, SOFTWARE AND SERVICES FOR THE LOWELL POLICE DEPARTMENT.

Presentation was made by John Stubbs, State Account Manager, Motorola Solutions. Copy of his presentation is included with the minutes. His proposal would be good up to October 2019.

The new equipment would affect the fire, police and city communications in its entirety. Councilmen discussed the pros and cons of passing this resolution. They were in favor of having more presentations by other companies in future meetings.

Councilman Bitner asked the council to slow down and hear from other vendors before a decision was reached to purchase the equipment presented in this presentation.

Chief Melnicki said the AWIN website shows the approved radios. City of Lowell relies on Springdale and Rogers heavily. With the size of our department, we do not have the capability to launch a NFPA 1710 Compliant Structure Fire assignment with the number of people we are supposed to have on the ground. Rogers is currently entirely on AWINs with their radios. Without creating a patch, we cannot communicate with them at all. It was until recently that we were able to communicate aside from borrowing one radio per crew which anyone with fire background knows that is not safe. If someone gets lost, disoriented, and they do not have a radio is lives in danger. Springdale will soon be on the same system and we are in the middle and we need to be able to communicate with both sides and this is the way to do it.

Lt. Pillaro said the police computers have a chat system so the officers can chat with each other and dispatch. They are not connected to State Police and the only way we can chat with them is if they borrow our radios or we call them on the phone. The new system will not affect the current computers in any way. The radio has nothing to do with the computer.

Councilman Bitner asked that a meeting be held with people from different agencies to talk about this plan in depth.

Councilwoman Vannoy asked if there was an urgency to acquire this equipment. The Mayor said the biggest urgency was the safety of the fire department.

Mayor asked that the police and fire departments get different radios from different competitors, if possible, for the June council meeting so he knows what equipment they feel is safe for the environment they are working in.

Motion to table Resolution until July 2019 Council Meeting.

Motion: Dean Bitner

Second: Eric Schein

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

Vote Nay: None

Motion table Resolution until July 2019 Council Meeting was approved.

5. RESOLUTION TO APPROVE AND AUTHORIZE THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE CITY OF LOWELL LOCATED NEAR WEST MONROE, LOWELL, ARKANSAS.

The 0.90 parcel of real property located near West Monroe Avenue in Lowell is no longer needed and the Lowell City Council agreed to sell it for no less than \$150,000.00.

Motion made to approve Resolution.

Motion: Dean Bitner

Second: Linda Vannoy

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

Vote Nay: Evers

Motion to approve Resolution approved.

Resolution assigned No. 19-24.

6. RESOLUTION ADOPTING A POLICY RELATING TO THE OUTSIDE EMPLOYMENT OF UNIFORMED POLICE EMPLOYEES.

Lowell Police Department uniformed employees plan to work at Razorback football games and other events. Policy will be placed with Police Department, Finance Director and with this resolution filed in the City Clerk's office.

Motion made to approve Resolution.

Motion: David Adams

Second: Dean Bitner

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

Vote Nay: None

Motion to approve Resolution approved.

Resolution assigned No. 19-25.

7. APPOINTMENTS TO THE PLANNING COMMISSION:

Bethany Rosenbaum and Kendall Stucki were appointed to the Planning Commission beginning with June 2019 meeting.

Motion to approve appointments to Planning Commission.

Motion: Todd Fenix

Second: David Adams

Voice Vote Aye: Unanimous

Voice Vote Nay: None

Motion to approve appointments approved.

COMMITTEE REPORTS: KJMP Minutes were included in council packet.

ANNOUNCEMENTS: Mudtown Days June 7-8, 2019.

DISCUSSION:

Councilman Schein asked if something could be done about the sirens because they could not be heard in his subdivision. All sirens are operational. Mayor Moore said he planned to do monthly testing of the sirens. Councilman Bitner suggested a proposal for an additional siren be included in the next budget.

Dean Bitner asked if the City would take action to remove homes at 406 McClure. Mayor said the property was under contract but he would ask Code Enforcement to handle this situation. He asked if Chief Harvey had received his service weapon and the Mayor said he and Mr. Hudlow had made progress to return the weapon to him. Mr. Hudlow said he is waiting on a form to forward to Chief Harvey.

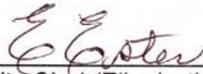
Todd Fenix asked if the property at Honeysuckle and McClure had been cleared for purchase by the couple who had made an offer on it. Richard Stone said a couple has indicated they would like to purchase the property. The mayor has been authorized by the council to enter into negotiations and that is the next step to be taken.

Todd Fenix asked for an update on the Parking Ordinance. Mayor Moore said it has been sent to the Fire Chief for his recommendations.

Linda Vannoy asked for the top five street projects and she was advised she can get the list from Melanie.

ADJOURNMENT: Motion to adjourn by Todd Fenix and second by Dean Bitner. There being no objections, the meeting adjourned at 8:05pm.

ATTEST:



City Clerk/Elizabeth Estes



APPROVED:



Mayor/Chris Moore

City of Lowell

Minutes of the Regular Council Meeting

May 21, 2019