

**LOWELL CITY COUNCIL MINUTES  
REGULAR COUNCIL MEETING  
MAY 17, 2022**

**INVOCATION:** Councilman Steve Whitehead

**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 6:33pm.

**ROLL CALL:** Mayor Chris Moore asked City Clerk for a verbal roll call. Council Members present were Steve Whitehead, Eric Schein, Lisa DeGifford, Bethany Rosenbaum, and Bill Adams. Kendell Stucki and David Adams were absent. Deputy Attorney Kicklak was present. A roster of all others in attendance is on file with these minutes.

**CONSENT AGENDA ITEMS:**

Lowell City Council Minutes Regular Meeting – April 19, 2022  
Financial Statement – April 2022

**Motion to approve the Consent Agenda.**

**Motion:** Steve Whitehead

**Second:** Eric Schein

**Vote Aye:** Bethany Rosenbaum, Lisa DeGifford, Eric Schein, Steve Whitehead, Mayor

**Vote Abstain:** Bill Adams

**Vote Nay:** None

**Motion to approve the Consent Agenda approved.**

**PUBLIC FORUM:** Open: 6:35PM Close: 6:36PM

Thomas Evers asked Council if the Street Department was still picking up abandoned signs. There are several signs at Honeysuckle and McClure.

**WARD 1 POSITION 2 ALDERMAN INTERVIEWS**

**Motion to Adjourn for Executive Session.**

**Motion:** Bill Adams

**Second:** Eric Schein

**Vote Aye:** B. Adams, Whitehead, Schein, DeGifford, Rosenbaum

**Vote Nay:** None

**Motion to Adjourn for Executive Session approved.**

Council went into Executive Session at 6:35pm to interview candidates. Council reconvened at 7:59pm and all council members returned. Marin Miller was selected as Alderman of Ward 1 Position 2.

**Motion to approve Marin Miller as Alderman – Ward 1 Position 2.**

**Motion:** Eric Schein

**Second:** Bethany Rosenbaum

**Vote Aye:** Schein, Whitehead, DeGifford, B. Adams, Rosenbaum

**Vote Nay:** None

**Motion to approve Marin Miller as Alderman – Ward 1 Position 2 approved.**

**II. APPOINTMENT OF A&P COMMISSIONER**

Motion to approve Chelsea Medina as A&P Commissioner.

Motion: Bethany Rosenbaum

Second: Eric Schein

Vote Aye: Whitehead, DeGifford, Rosenbaum, Schein, Mayor

Vote Abstain: B. Adams

Vote Nay: None

Motion to approve Chelsea Medina as A&P Commissioner approved.

I. OLD BUSINESS: None

J. NEW BUSINESS:

**1 – RESOLUTION AMENDING THE 2021 BUDGET REGARDING THE APPROPRIATION OF FUNDS FOR CERTAIN MUNICIPAL EMPLOYEES FROM THE AMERICAN RESCUE PLAN ACT GRANT FOR THE CITY OF LOWELL, ARKANSAS.**

The American Rescue Pan Act “ARPA”, signed into law on March 11, 2021, provide fiscal relief funds to state and local governments and other program areas aimed at mitigating the continuing effects of the COVID-19 pandemic.

Motion to approve Resolution

Motion: Bill Adams

Second: Steve Whitehead

Vote Aye: Schein, DeGifford, B. Adams, Rosenbaum, Whitehead

Vote Nay: None

Motion to approve Resolution approved.

Resolution assigned No. 22-18.

**2 – RESOLUTION TO AMEND THE TIF BUDGET REGARDING THE APPROPRIATION OF FUNDS FOR CONSTRUCTION SERVICES AT PUPPY CREEK BRIDGE IN THE CITY OF LOWELL, ARKANSAS.**

The city has entered a contract with Curtis Construction, Inc. to provide construction services for Puppy Creek Bridge Replacement. There is an immediate need to amend the 2022 TIF Budget to reconcile the actual expenditures and receipts with the 2022 TIF Budget predictions for the appropriation of funds to Professional Services.

Motion to approve Resolution.

Motion: Eric Schein

Second: Lisa DeGifford

Vote Aye: DeGifford, Rosenbaum, Schein, Whitehead, Mayor Moore

Vote Nay: B. Adams

Motion to approve Resolution approved.

Resolution assigned No. 22-19.

**3 – RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT OR PROFESIONAL SERVICES WITH CRAFTON, TULL & ASSOCIATES FOR THE PURPOSE OF PUPPY CREEK SEWER IMPROVEMENTS IN THE CITY OF LOWELL, ARKANSAS.**

The Mayor of Lowell, Arkansas is authorized to execute the Professional Services Agreement with Crafton, Tull & Associates for the purpose of Puppy Creek Sewer Improvements. It is necessary that improvements be made to the sanitary sewer system for the City to continue to provide adequate sanitary sewer services and provide necessary capacity for future developments and sewer capacity needs.

Motion to approve Resolution.

Motion: Eric Schein

**Second: Steve Whitehead**

**Vote Aye: Schein, Rosenbaum, DeGifford, Whitehead, Mayor Moore**

**Vote Nay: B. Adams**

**Motion to approve Resolution approved.**

**Resolution assigned No. 22-20.**

**4 - RESOLUTION TO ADOPT AND AMEND THE 2022 GENERAL BUDGET REGARDING THE APPROPRIATION OF FUNDS FOR THE PUPPY CREEK SEWER IMPROVEMENTS PROJECT IN THE CITY OF LOWELL, ARKANSAS.**

The City Council has determined there is an immediate need to amend the 2022 budget to reconcile the actual expenditures and receipts with the 2022 budget predictions for the appropriation of funds for the Puppy Creek sewer Improvements Project.

**Motion to approve Resolution.**

**Motion: Eric Schein**

**Second: Lisa DeGifford**

**Vote Aye: B. Adams, DeGifford, Schein, Whitehead, Mayor Moore**

**Vote Nay: Rosenbaum**

**Motion to approve Resolution approved.**

**Resolution assigned No. 22-21.**

**5 - ENGINEER AGREEMENT WITH CRAFTON TULL & ASSOCIATES, INC. FOR THE CITY OF LOWELL, ARKANSAS.**

The City entered into an Owner-Engineer Agreement on September 18, 2020 for the Western Lowell Sewer Improvements Project. The City and Crafton, Tull & Associates made additional amendments to the agreement for the purpose of redesign services. The Mayor of Lowell, Arkansas is authorized to execute the Owner-Engineer Agreement.

**Motion to approve Resolution.**

**Motion: Eric Schein**

**Second: Lisa DeGifford**

**Vote Aye: B. Adams, DeGifford, Schein, Whitehead, Mayor Moore**

**Vote Nay: Rosenbaum**

**Motion to approve Resolution approved.**

**Resolution assigned No. 22-22.**

**6 - RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COST SHARE AGREEMENT FOR THE PURPOSE OF SANITARY SEWER IMPROVEMENTS FOR THE CITY OF LOWELL, ARKANSAS.**

In order for the City of Lowell to provide sanitary sewer services to Shepherd Hills, LLC, Laramie Estates Development, LLC and Bridar, LLC subdivisions for a total unit density of 231 residential units in the City of Lowell, Arkansas, the developers proposed a Sanitary Sewer Improvement Cost Share Agreement to facilitate and assist with the cost of such improvements. The Mayor of Lowell, Arkansas is authorized to execute the Cost Share Agreement.

**Motion to approve Resolution.**

**Motion: Lisa DeGifford**

**Second: Eric Schein**

**Vote Aye: Whitehead, Schein, B. Adams, DeGifford, Rosenbaum**

**Vote Nay: None**

**Motion to approve Resolution approved.**

**Resolution assigned No. 22-23.**

**7 - RESOLUTION AUTHORIZING MAYOR TO EXECUTE AN AMENDED INTER-MUNICIPAL SEWER AGREEMENT WITH SPRINGDALE AND APPROPRIATING CERTAIN FUNDS FOR SEWER IMPROVEMENTS IN THE CITY OF LOWELL, ARKANSAS.**

The City of Lowell, Arkansas entered into an Inter-Municipal Agreement on October 11, 2005, for the City of Springdale to provide a public sewage system to serve a certain portion of Lowell's city limits. The City of Springdale and the City of Lowell desire to make additional amendments to the Agreement for the purpose of sewer improvements.

**Motion to approve Resolution.**

**Motion:** Lisa DeGifford

**Second:** Eric Schein

**Vote Aye:** Whitehead, Schein, DeGifford, Rosenbaum, B. Adams

**Vote Nay:** None

**Motion to approve Resolution approved.**

**Resolution assigned No. 22-24.**

**8 - RESOLUTION AUTHORIZING MAYOR TO EXECUTE A SEWER SYSTEM IMPROVEMENTS AGREEMENT WITH NWA LD, LLC FOR THE CITY OF LOWELL, ARKANSAS.**

A real estate developer and residential home builder, NWA LD, LLC owns certain real property in the City of Lowell and intends to develop approximately 186 single-family lots/homes on that property. NWA LD, LLC has proposed a Sewer Improvement Agreement for the design and construction of sewer improvements necessary to serve the property of the developments and agreed to pay an impact fee in consideration of the City making upgrades to its sewer facilities.

**Motion to approve Resolution.**

**Motion:** Bill Adams

**Second:** Steve Whitehead

**Vote Aye:** B. Adams, DeGifford, Rosenbaum, Schein, Whitehead

**Vote Nay:** None

**Motion to approve Resolution approved.**

**Resolution assigned No. 22-25**

**9 - RESOLUTION AUTHORIZING MAYOR TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH ENGINEERING SERVICES, INC. FOR SANITARY IMPROVEMENTS IN THE CITY OF LOWELL, ARKANSAS.**

The City of Lowell will enter into a Professional Agreement with Engineering Services for engineering and construction observation of several sewer mains in the city for the Sanitary Improvements Project. Improvements must be made to the sewer system so the city may continue to provide adequate sewer services and capacity required for future developments and sewer capacity needs.

**Motion to approve Resolution.**

**Motion:** Lisa DeGifford

**Second:** Eric Schein

**Vote Aye:** Rosenbaum, DeGifford, B. Adams, Schein, Whitehead

**Vote Nay:** None

**Motion to approve Resolution approved.**

**Resolution assigned No. 22-26.**

**10 - RESOLUTION APPROPRIATING FUNDS FROM THE SEWER TRUST FUND FOR SANITARY SEWER SYSTEM IMPROVEMENTS PROJECT IN THE CITY OF LOWELL, ARKANSAS.**

The City of Lowell desires to enter into a contract with Engineering Services, Inc. for the engineering and construction observation of several sewer mains in the City for the Sanitary Sewer Improvements Project.

**Motion to approve Resolution.**

**Motion:** Lisa DeGifford

**Second:** Steve Whitehead

**Vote Aye:** B. Adams, DeGifford, Rosenbaum, Schein, Whitehead

**Vote Nay:** None

**Motion to approve Resolution approved.**

**Resolution assigned No. 22-27.**

**11 – RESOLUTION EXPRESSING THE WILLINGNESS OF CITY OF LOWELL, ARKANSAS TO UTILIZE FEDERAL-AID RECREATIONAL TRAILS PROGRAM FUNDS.**

The City of Lowell, Arkansas understands Federal and Recreational Trails Program Funds are available at 80% federal participation and 20% local match-in kind labor to develop or improve the City Trail Program-Bellview Street.

**Motion to approve Resolution.**

**Motion:** Eric Schein

**Second:** Steve Whitehead

**Vote Aye:** B. Adams, DeGifford, Rosenbaum, Schein, Whitehead

**Vote Nay:** None

**Motion to approve Resolution approved.**

**Resolution assigned No. 22-28.**

**12 - RESOLUTION – EXPRESSING THE WILINGNESS OF CITY OF LOWELL, ARKANSAS TO UTILIZE FEDERAL-AID RECREATIONAL TRAILS PROGRAM FUNDS.**

The City of Lowell, Arkansas understands Federal and Recreational Trails Program Funds are available at 80% federal participation and 20% local match-in kind labor to develop or improve the City Sidewalk Program – Concord & Honeysuckle Streets.

**Motion to approve Resolution.**

**Motion:** Steve Whitehead

**Second:** Eric Schein

**Vote Aye:** B. Adams, Schein, Whitehead, DeGifford, Rosenbaum

**Vote Nay:** None

**Motion to approve Resolution approved.**

**Resolution assigned No. 22-29.**

**13 - RESOLUTION – DECLARING CERTAIN POLICE DEPARTMENT EQUIPMENT AS SURPLUS AND PRESCRIBING THE METHOD OF SELLING THE EQUIPMENT.**

The Police Department has advised the City Council that 2018 Dodge Charger, 2C3CDXXKT3JH2490007 is no longer of use to the city and should be disposed of as surplus property. The city of Lowell declares the method by which to dispose of the equipment.

**Motion to approve Resolution.**

**Motion:** Lisa DeGifford

**Second:** Steve Whitehead

**Vote Aye:** Unanimous

**Vote Nay:** None

**Motion to approve Resolution approved.**

**Resolution assigned No. 22-30.**

**14 - RESOLUTION – TO AMEND THE 2022 GENERAL BUDGET FOR THE APPROPRIATION OF FUNDS AND AUTHORIZING THE EXPENDITURE THEREOF FOR THE PURCHASE OF THREE (3) 2022 DODGE CHARGER PURSUIT AND V6 AND RELATED EQUIPMENT FOR THE CITY OF LOWELL, ARKANSAS.**

The City Council determined that it is necessary to purchase three (3) Dodge charger Pursuit AWD V6 from Red River Dodge Chrysler Jeep Ram Fiat and related equipment for the use by the City of Lowell, Arkansas.

**Motion to approve Resolution.**

**Motion:** Eric Schein

**Second:** Lisa DeGifford

**Vote Aye:** DeGifford, Whitehead, Schein, Rosenbaum, B. Adams

**Vote Nay:** None

**Motion to approve Resolution approved.**

**Resolution assigned No. 22-31.**

**15 - RESOLUTION – TO AMEND THE 2022 GENERAL BUDGET FOR THE APPROPRIATION OF FUNDS AND TO WAIVE COMPETITIVE BIDDING FOR THE PURCHASE OF ONE (1) BMW R 1250 TRP MOTORCYCLE AND RELATED EQUIPMENT FOR THE CITY OF LOWELL, ARKANSAS.**

The City Council determined that it is necessary to purchase one (1) BMW R1250 RTP Motorcycle from BMW Motorcycles of North Dallas and related equipment for use by the City of Lowell.

**Motion to approve Resolution.**

**Motion:** Lisa DeGifford

**Second:** Eric Schein

**Vote Aye:** DeGifford, Whitehead, Schein

**Vote Nay:** Rosenbaum, B. Adams

**Motion to approve Resolution failed.**

**K. ANNOUNCEMENTS / DISCUSSION**

**1. 2020 AUDIT REPORT**

Councilmen discussed the 2020 Audit Report.

**L. ADJOURNMENT:** Entertain a motion to adjourn. Motion to adjourn: Eric Schein. Second: Steve Whitehead. There being no objections, the meeting adjourned at 9:10p.m.

ATTEST:

  
City Clerk/Elizabeth Estes



APPROVED:

  
Mayor/Chris Moore