

**LOWELL CITY COUNCIL MINUTES  
REGULAR COUNCIL MEETING  
JUNE 21, 2022**

**INVOCATION:** Sgt Aaron 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.

**ROLL CALL:** Mayor Chris Moore asked City Clerk for a verbal roll call. Council Members present were Steve Whitehead, Eri Schein, Lisa DeGifford, Bethany Rosenbaum, Bill Adams, Kendell Stucki, David Adams, Marin Miller. Deputy 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 – May 17, 2022  
Financial Statement – May 2022

**Motion to approve the Consent Agenda.**

Motion: Bill Adams

Second: Steve Whitehead

Vote Aye: Rosenbaum, B. Adams, DeGifford, Schein, Stucki, Whitehead, Miller, D. Adams

Vote Nay: None

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

**PUBLIC FORUM:** Open: 6:37PM Close: 6:39PM

Perry Keith, 1409 Lancelot, Thank you publicly for Sabre Heights sewer.

Penny Cobb, 1414 & 1425 Lancelot, wondered if other companies could bid on job or is it a packaged deal.

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

**Motion to dispense with the rule and read all Ordinances one time by title only.**

Motion: Eric Schein

Second: Kendell Stucki

Vote Aye: B. Adams, D. Adams, Stucki, Rosenbaum, DeGifford, Schein, Miller, Whitehead

Vote Nay: None

**Motion to dispense with the rule and read all Ordinances one time by title only approved.**

**OLD BUSINESS:** None

**NEW BUSINESS:**

**1 – ORDINANCE TO AMEND SECTION 22-4(D) "SALE OR DISCHARGE OF FIREWORKS" OF CHAPTER 22 IN THE LOWELL MUNICIPAL CODE TO ADJUST THE DAYS ON WHICH FIREWORKS DISCHARGE AND DISPLAYS ARE PERMITTED."**

The use of fireworks is from July 1<sup>st</sup> – July 6<sup>th</sup> and is in keeping with the traditions within the City of Lowell.

**Motion to approve Ordinance.**

Motion: Bill Adams

Second: Bethany Rosenbaum

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

Vote Nay: None

Motion to approve Ordinance approved.

City Clerk read Ordinance one time by title only.

Ordinance assigned No. 1106

Motion to approve Emergency Clause.

Motion: Eric Schein

Second: Bill Adams

Vote Aye: B. Adams, D. Adams, Stucki, Rosenbaum, DeGifford, Schein, Miller, Whitehead

Vote Nay: None

Motion to approve Emergency Clause approved.

## **2 – ORDINANCE AMENDING SECTION 6-74 OF THE LOWELL MUNICIPAL CODE PERTAINING TO THE KEEPING OF LIVESTOCK.**

The Lowell Planning Commission has reviewed the amendment, and following a public hearing regarding the same, voted to recommend its approval. The City Council finds it to be in the best interest of the people of Lowell to amend Section 6-74 of the Lowell Municipal Code.

Motion to approve Ordinance.

Motion: Bill Adams

Second: Lisa DeGifford

Vote Aye: B. Adams, D. Adams, Stucki, DeGifford, Schein, Whitehead

Vote Abstain: Miller

Vote No: Rosenbaum

Motion to approve Ordinance approved.

City Clerk read Ordinance one time by title only.

Ordinance assigned No. 1107

## **3 – ORDINANCE AMENDING SECTION 16-314, SECTION 16-171, AND SECTION 16-287 OF THE LOWELL MUNICIPAL CODE PERTAINING TO NOTICE FOR CHANGES IN ZONING.**

The Lowell Planning Commission has reviewed the amendment, and following a public hearing regarding the same, voted to recommend its approval. City Council finds it to be in the best interest of the people of Lowell to amend Section 16-314, Section 16-171, and Section 16-287 of the Lowell Municipal Code.

Motion to approve Ordinance.

Motion: Kendell Stucki

Second: Eric Schein

Vote Aye: Schein, D. Adams, B. Adams, Miller, Rosenbaum, DeGifford, Whitehead, Stucki

Vote Nay: None

Motion to approve Ordinance approved.

City Clerk read Ordinance one time by title only.

Ordinance assigned No. 1108

## **4 - RESOLUTION APPROPRIATING CERTAIN FUNDS FOR THE SEWER IMPROVEMENT PROJECT IN THE CITY OF LOWELL, ARKANSAS.**

The City of Lowell has a contract for the Sewer Improvements Project to upgrade sewer system for citizens of Lowell. The approximate amount required for the improvements is \$118,500.00. Appropriation of funds for the Sewer Improvements Project is in the best interest of the citizens of Lowell.

Motion to approve Ordinance.

Motion: Lisa DeGifford

Second: David Adams

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

Vote Abstain: Miller

Vote No: B. Adams

Motion to approve Resolution approved.

Resolution assigned No. 22-32

**5 – RESOLUTION DECLARING CERTAIN STREET DEPARTMENT EQUIPMENT AS SURPLUS AND PRESCRIBING THE METHOD OF SELLING THE EQUIPMENT.**

Select equipment items in the Street Department have been declared surplus and are to be dispersed according to state law.

Motion to approve Resolution.

Motion: Lisa DeGifford

Second: Kendell Stucki

Vote Aye: B. Adams, DeGifford, D. Adams, Miller, Schein, Whitehead, Rosenbaum, Stucki

Vote Nay: None

Motion to approve Resolution approved.

Resolution assigned No. 22-33.

**6 - RESOLUTION APPROVING AND ADOPTING AN UPDATED POLICY REGARDING BEREAVEMENT LEAVE AND THE DEFINITION OF IMMEDIATE FAMILY TO BE INCLUDED IN THE CITY OF LOWELL PERSONNEL HANDBOOK AND PROCEDURES MANUAL.**

City Council updated the Personnel Policy Manual for the purpose of amending the Bereavement Leave Policy and the City's definition of "Immediate Family."

Motion to approve Resolution.

Motion: Bethany Rosenbaum

Second: Lisa DeGifford

Vote Aye: Whitehead, Miller, Schein, Stucki, DeGifford, D. Adams, B. Adams, Rosenbaum

Motion to approve Resolution approved.

Resolution assigned No. 22-34.

**7 - RESOLUTION IN SUPPORT OF PARTICIPATION IN THE SURFACE TRANSPORTATION BLOCK GRANT PROGRAM – ATTRIBUTABLE TO RECEIVE GRANT FUNDING FOR THE EXTENSION OF MONROE AVENUE IN THE CITY OF LOWELL, ARKANSAS.**

The City Council of the City of Lowell, Arkansas fully supports and endorses its project application to utilize STPBG-A funds for the extension of Monroe Avenue through Oak Street to Hwy 265/Old Wire Road and the City agrees to be responsible for the required local matching funds if and when the project application is successful and grant funding for the project is obtained.

Motion to approve Resolution.

Motion: Eric Schein

Second: Kendell Stucki

Vote Aye: Whitehead, Schein, D. Adams, Miller, Rosenbaum, DeGifford, B. Adams, Stucki

Vote Nay: None

Motion to approve Resolution approved.

Resolution assigned No. 22-35.

**8 – RESOLUTION TO AUTHORIZE A CHANGE ORDER AND THE APPROPRIATION OF ADDITIONAL FUNDS FOR THE INSTALLATION OF A LOW-PRESSURE SEWER SYSTEM WITHIN THE SABRE HEIGHTS SUBDIVISION IN THE CITY OF LOWELL, ARKANSAS.**

In September 2021 the City Council approved funding for Diamond C Construction Company to install a low-pressure sewer system in the Sabre Heights Subdivision. Since receiving the City's approval for funding. The Arkansas Department of Health has required revisions off this project plans that includes an increase in the size of pipe used in certain areas. Diamond C Construction has determined the cost of this change to amount to \$45,408.45. In order to simplify and ease the burden of connection to the low-pressure system, the City desires to provide the installation of sewer service connections to the lots served by the low-pressure system. Diamond C Construction Company has determined that the cost of installation to each individual lot will amount to \$374,900.26. The City Council finds it necessary to authorize and ratify this change order and to approve the appropriation of the required additional funds in the total amount of \$420,308.74. The City Council approves the execution of the change order and the appropriation from the General Fund Reserves in the amount of \$420,308.74.

**Motion to table Resolution for 30 days.**

**Motion: Bill Adams**

**No Second.**

**Motion to table Resolution for 30 days failed.**

**Motion to approve Resolution.**

**Motion: Lisa DeGifford**

**Second: David Adams**

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

**Vote Abstain: B. Adams, Miller**

**Vote Nay: Rosenbaum**

**Motion to approve Resolution approved.**

**Resolution assigned No. 22-36**

**9 – RESOLUTION IN SUPPORT OF PARTICIPATION IN THE COMMUNITY ORIENTED POLICING SERVICES (COPS) GRANT TO RECEIVE FUNDING FOR THE LOWELL POLICE DEPARTMENT.**

Grant funding would allow the addition of two new officers primarily as School Resource Officers for the public safety in the City of Lowell.

**Motion to approve Resolution.**

**Motion: Lisa DeGifford**

**Second: Kendell Stucki**

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

**Vote Nay: None**

**Motion to approve Resolution approved.**

**Resolution assigned No. 22-37.**

**10 – RESOLUTION TO EXECUTE A CONTRACT AND APPROPRIATE FUNDS FOR THE PURCHASE AND INSTALLATION OF NEW UPGRADED PLAYGROUND EQUIPMENT AT MCCLURE PARK IN THE CITY OF LOWELL, ARKANSAS.**

City Council agrees there is a need for updated and quality playground equipment for McClure Park and desires to enter into a contract with Cunningham Recreation for the purchase and installation of new upgraded playground equipment. The Mayor and City Council agree to approve the appropriation of funds for the purchase and installation of the upgraded playground equipment for McClure Park.

**Motion to table Resolution for 30 days.**

**Motion: Bethany Rosenbaum**

**Second: Bill Adams**

**Vote Aye: Rosenbaum, B. Adams, Miller**

**Vote Nay: D. Adams, DeGifford, Stucki, Whitehead, Schein**

Motion to table Resolution for 30 days failed.

Motion to approve Resolution.

Motion: Lisa DeGifford

Second: Eric Schein

Vote Aye: D. Adams, Stucki, DeGifford, Schein, Whitehead, Miller

Vote Nay: B. Adams, Rosenbaum

Motion to approve Resolution approved.

Resolution assigned No. 22-38.

ANNOUNCEMENTS / DISCUSSION

1. MUDTOWN DAYS OVERVIEW
2. SPLASH PAD FOR WARD NAIL PARK
3. PROCLAMATION OF LIFE PRO-LIFE CITY DESIGNATION RESOLUTION – JULY MEETING
4. KC BBQ EVENT JULY 1 & 2
5. “NO KNOCK” LIST
6. LIBRARY

ADJOURNMENT: Entertain a motion to adjourn. Motion to adjourn: Eric Schein. Second: David Adams. There being no objections, the meeting adjourned at 7:45p.m.

ATTEST:

  
City Clerk/Elizabeth Estes



APPROVED:

  
Mayor/Chris Moore

City of Lowell

Minutes of the Regular Council Meeting

June 21, 2022

