

**LOWELL CITY COUNCIL MINUTES
REGULAR COUNCIL MEETING - VIRTUAL MEETING
FEBRUARY 16 - 6:30PM**

STATE OF THE CITY ADDRESS – MAYOR CHRIS MOORE

Copy of City Address filed with minutes.

**PUBLIC HEARING ON THE PROPOSED ISSUANCE OF THE CAPITAL IMPROVEMENT REFUNDING
REVENUE BONDS, SERIES 2021**

Public Hearing:

Open: 6:45pm

Closed: 6:46pm

INVOCATION: Pastor 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 6:48pm by **Mayor Chris Moore** at the Lowell Council Chambers.

ROLL CALL: Mayor Chris Moore asked the City Clerk for a verbal roll call. Council Members present were **Steve Whitehead, Eric Schein, Bethany Rosenbaum, Bill Adams, Lisa DeGifford, Chasity Taylor, Kendell Stucki, David Adams.** 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 – January 19, 2021

Financial Statement – January 2021

Motion to approve the Consent Agenda.

Motion: Eric Schein

Second: Steve Whitehead

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

Vote Nay: None

Motion to approve Consent Agenda approved.

PUBLIC FORUM: Open: 6:50PM Close: 6:52PM

Brian Clark announced his church would be taking donations of food items or money January 21, 2021 for a food drive which will benefit Arkansas Food Bank. Items may be left at the City of Lowell City Hall between 8:00am and 1:00pm.

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

Motion to approve procedural motion.

Motion: David Adams

Second: Kendell Stucki

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

Vote Nay: B. Adams

Motion to approve procedural motion approved.

OLD BUSINESS:

1. **RESOLUTION APPROVING AND ADOPTING AN UPDATED OVERTIME POLICY FOR THE FIRE FIGHTERS AND POLICE OFFICERS IN LOWELL. TO BE SECTION 4.5.1.1 OF THE PERSONNEL POLICY MANUAL FOR THE CITY OF LOWELL, ARKANSAS.**

Staff recommends this item remain tabled and be left on the agenda.

Motion to table Resolution.

Motion: Bill Adams

Second: Chasity Taylor

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

Vote Nay: None

Motion to table Resolution passed.

Motion to remove Item #1 under Old Business from agenda.

Motion: B. Adams

Second: B. Rosenbaum

Vote Aye: Whitehead, Rosenbaum, B. Adams,

Vote Nay: DeGifford, D. Adams, Stucki, Taylor, Schein

Motion to remove Item #1 under Old Business from agenda failed.

NEW BUSINESS:

1. ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CAPITAL IMPROVEMENT REFUNDING AND CONSTRUCTION REVENUE BONDS, SERIES 2021, FOR THE PURPOSE OF FINANCING VARIOUS CAPITAL IMPROVEMENTS AND REFUNDING THE CITY'S CAPITAL IMPROVEMENT REFUNDING REVENUE BONDS, SERIES 2010, PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

Improvements consist of the acquisition, construction, equipping of sewer improvements and park and recreational improvements. The City has previously issued its Capital Improvement Refunding Revenue Bonds, Series 2010 (the "Bonds Refunded") and the City Council determined that it is in the best interest of the City to refund the Bonds Refunded (the "Refunding"). The City can accomplish the Refunding and finance all or a portion of the costs of the Improvements by the issuance of Capital Improvement Refunding and Construction Refunding and Construction Revenue Bonds, Series 2021 in the maximum aggregate principal amount of \$6,000,000 (the "bonds"). The City is making arrangements for the sale of the bonds to Stephens, Inc (the "Purchaser") pursuant to a Bond Purchase Agreement (the "Purchase Agreement") which has been presented to and is before this meeting; and the Preliminary Official Statement, offering the bonds for sale (the "Preliminary Official Statement") has been presented to and is before this meeting; the Continuing Disclosure Agreement between the City and Simmons Bank, Pine Bluff, Arkansas (the "Disclosure Agreement") providing for the ongoing disclosure obligations of the City with respect to the bonds has been presented to and is before this meeting.

Motion to dispense with the rule and read Ordinance one time by title only.

Motion: Bill Adams

Second: David Adams

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

Vote Nay: None

Motion to dispense with the rule and read Ordinance one time by title only passed.

Motion to approve Ordinance as presented.

Motion: David Adams

Second: Eric Schein

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

Vote Nay: None

Motion to approve Ordinance passed.

City Clerk read Ordinance one time by title only.

Ordinance assigned 1072.

Motion to approve Emergency Clause.

Motion: Eric Schein

Second: Lisa DeGifford

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

Vote Nay: B. Adams

Motion to approve Emergency Clause passed.

2. ORDINANCE ESTABLISHING NEW WATER CONECTION COST FEES FOR EACH DWELLING AND FOR OTHER PURPOSES.

The City Council has been advised by the administration that a new \$1,800.00 fee per dwelling should be established for a new water hook up and this fee is effective immediately upon passage of the emergency clause.

Motion to approve Ordinance.

Motion: Eric Schein

Second: David Adams

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

Vote Nay: None

Motion to approve Ordinance passed.

Ordinance assigned No. 1073.

3. ORDINANCE PROVIDING FOR AN EXTENSION OF THE EXPIRATION DATE FOR THE ONE PERCENT (1%) SALES AND USE TAX PREVIOUSLY APPROVED WITHIN THE CITY OF LOWELL, ARKANSAS, AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

The City Council for the City of Lowell desires to extend the 108 month expiration date of the one percent (1%) sales and use tax already approved y an additional 108 months in order to fund improvements of municipal services that will take place beyond the 108 month effective period of the one (1%) sales and use tax already approved.

Motion to approve Ordinance.

Motion: David Adams

Second: Kendell Stucki

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

Vote Nay: None

Motion to approve Ordinance passed.

City Clerk read Ordinance one time by title only.

Ordinance assigned No. 1074.

4. ORDINANCE CALLING FOR A SPECIAL ELECTION IN THE CITY OF LOWELL, ARKANSAS, ON THE QUESTION OF EXTENDING THE EXPIRATION DATE FOR THE ONE PERCENT (1%) SALES AND USE TAX PREVIOUSLY APPROVED AND PRESCRIBING OTHER MATTERS PERTAINING THERETO AND DECLARING AN EMERGENCY.

The purpose of this ordinance is to call a special election on May 11, 2021 on the question of extending the expiration date of the one percent (1%) sales and use tax already approved by the electors of the City of Lowell, Arkansas.

Motion to approve Ordinance.

Motion: David Adams

Second: Steve Whitehead

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

Vote Nay: None

Motion to approve Ordinance passed.

City Clerk read Ordinance one time by title only.

Ordinance was assigned No. 1075.

Motion to approve Emergency Clause.

Motion: Eric Schein

Second: Kendell Stucki

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

Vote Nay: None

Motion to approve Emergency Clause passed.

5. APPOINTMENT TO THE A&P COMMISSION – KELLY MCCOOL

Kelly McCool was appointed to the A&P Commission. Kelly has worked 22 years for Daylight Donuts, is highly respected by the community and wants what's truly best for the City of Lowell.

Motion to approve Appointment of Kelly McCool.

Motion: Steve Whitehead

Second: Lisa DeGifford

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

Vote Nay: None

Motion to approve Appointment of Kelly McCool approved.

Mike Maloney, Director of the A&P Commission, announced that the next project is to showcase the works of various artists in the City of Lowell. The next meeting will be February 25th. The A&P meet the fourth Thursday of each month.

ANNOUNCEMENTS:

City Council Work Sessions will be held first Thursday of each month at 6:30pm in city hall council chambers.

ADJOURNMENT: Motion to adjourn by Lisa DeGifford and second by Steve Whitehead. There being no objections, the meeting adjourned at 7:40pm.

ATTEST:

APPROVED:

City Clerk/Elizabeth Estes

Mayor/Chris Moore