

**LOWELL CITY COUNCIL MINUTES
REGULAR COUNCIL MEETING
MAY 21, 2013 - 6:30 p.m.**

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

INVOCATION: The Invocation was given by Mayor Long.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by **Mayor Long**.

ROLL CALL: **Mayor Long** asked for roll call. City Clerk made a verbal roll call. Council Members present were: **Thomas Evers, Eric Schein, Matthew Yeager, Janette Lasater, Keith Williams, Kendell Stucki, Dean Bitner, Ronnie Breland**. There was quorum. **Deputy Attorney Kieklak** was also present. A roster of all others in attendance is on file with these minutes.

CONSENT AGENDA:

**Lowell City Council Minutes Regular Meeting – April 16, 2013
Financial Statement – April 2013**

Motion was made to approve Consent Agenda.

Motion: Ronnie Breland

Second: Dean Bitner

Voice Vote Aye: Unanimous

Voice Vote Nay: None

Motion to accept Consent Agenda was approved.

TRASH CONTRACT: Deffenbaugh Contract Update – Shawn Ingram

Guy Schumacher – 315 Center Drive: Addressed the following concerns: 1) Could not understand why City deleted recycling; 2) Yellow bag program for 65 or older; 3) Placement of trash can must be 6' from curb; 4) Felt City should charge flat rates for recycling.

Councilmen made stipulation they approved the new contract with the agreement with Mr. Jason Fitzgerald that the yellow bag program would continue for senior citizens as it had been before the new contract of April 1, 2013. (See Page 5 of the March 19, 2013 City Council Meeting Minutes.)

PUBLIC FORUM: Opened at 6:58PM - Closed at 6:59PM

OLD BUSINESS:

1. ORDINANCE - AMENDING THE LOWELL ZONING ORDINANCE TO PERMIT MANUFACTURED HOUSING IN THE "R-A" ZONE.

Salena Wright-Brown, Chairperson of Planning Commission, identified a gap that we had not made a zone where manufactured housing was permitted. We are required to do that. We had a public hearing and discussed it a couple of times in the planning commission and we bring this before you and a request to change our zoning code to allow manufacturing housing in the "R-A" residential zone which is a state size lot, minimum of one acre.

Motion was made to suspend the rule and place the Ordinance on third and final reading by title only.

Motion: Janette Lasater

Second: Eric Schein

Vote Aye: Yeager, Stucki, Williams, Bitner, Evers, Schein, Lasater

Vote Nay: Breland

Motion to suspend the rule and place the Ordinance on third and final reading by title only was approved.

City Clerk read the ordinance by title only.

Motion was made to approve the Ordinance as presented.

Motion: Keith Williams

Second: Eric Schein

Vote Aye: Stucki, Yeager, Williams, Lasater, Schein, Evers, Bitner

Vote Nay: Breland

Motion to approve the Ordinance as presented was approved.

Ordinance was assigned No. 933.

NEW BUSINESS:

1. AN ORDINANCE ACCEPTING THE DEDICATION OF BARRETT PLACE INTO THE CITY OF LOWELL, ARKANSAS.

Kris Sullivan, Planning Director, Barrett Place is a subdivision that was annexed into the City in 2003. The ordinance itself explains the history of it. At this time we have right-of-way dedications from all of the property owners. We would like those dedications and this ordinance adopted.

Motion was made to suspend the rule and place Ordinance on third and final reading by title only.

Motion: Dean Bitner

Second: Thomas Evers

Vote Aye: Yeager, Williams, Bitner, Evers, Schein, Lasater

Vote Present: Stucki, Breland

Vote Nay: None

Motion to suspend the rule and place Ordinance on third and final reading by title only was approved.

City Clerk read the Ordinance by title only.

Motion was made to approve the Ordinance as presented.

Motion: Janette Lasater

Second: Eric Schein

Vote Aye: Yeager, Williams, Lasater, Schein, Evers, Bitner

Vote Present: Stucki, Breland

Vote Nay: None

Motion to approve the Ordinance as presented was approved.

Ordinance was assigned No. 934.

2. RESOLUTION AMENDING THE 2013 GENERAL FUND REVENUE BUDGET IN THE AMOUNT OF THREE HUNDRED SEVENTY TWO THOUSAND DOLLARS (\$372,000) AND APPROPRIATING THREE HUNDRED SEVENTY TWO THOUSAND DOLLARS (\$372,000) FOR TRAILS EXPENSE.

Jerry Hudlow, Finance Director, these are the properties that have been identified in NWA Razorback Regional Greenway Trail. We have estimates of the market value on them. An offer has been made on the property and if the owner accepts the offer, the city will pay the owner that offer. We would bill NWA Regional Planning for that property. They say they are on a 15-day billing cycle and in fifteen days we should get reimbursed for that. This is money in and money out.

Councilmen discussed the intricacies of the various properties as they applied to this resolution. Councilman Williams made a motion to approve the resolution and Councilwoman Lasater second the

motion. After discussion both withdrew their motions and council proceeded with Councilman Breland's motion.

Motion was made to approve Resolution as presented.

Motion: Ronnie Breland

Second: Keith Williams

Vote Aye: Lasater, Williams, Bitner, Yeager, Stucki, Breland, Schein, Evers

Vote Nay: None

Motion to approve Resolution as presented was approved.

Resolution was given No. 13-08.

3. RESOLUTION AMENDING THE 2013 GENERAL FUND REVENUE BUDGET IN THE AMOUNT OF SEVENTEEN THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$17,750); AMENDING THE 2013 STREET FUND BUDGET IN THE AMOUNT OF ONE THOUSAND THREE HUNDRED DOLLARS (\$1,300); APPROPRIATING SEVENTEEN THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$17,750) FOR GENERAL FUND SMALL EQUIPMENT EXPENSE; AND APPROPRIATING ONE THOUSAND THREE HUNDRED DOLLARS (\$1,300) FOR STREET FUND SMALL EQUIPMENT EXPENSE.

Jerry Hudlow, Finance Director, **Guy Schumacher** has given the City of Lowell \$20,000 to be used to purchase items listed in the council packet.

Motion was made to approve Resolution as presented.

Motion: Janette Lasater

Second: Thomas Evers

Vote Aye: Stucki, Lasater, Williams, Yeager, Breland, Schein, Evers, Bitner

Vote Nay: None

Motion to accept Resolution as presented was approved.

Resolution was assigned No. 13-09.

4. COMMITTEE REPORTS:

Ordinance Committee – Dean Bitner – Met April 15th and will be meeting Wednesday, May 23rd, at 6:30 in the city hall council chambers to discuss parking in the streets. Public is invited to attend.

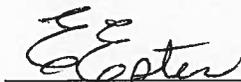
5. ANNOUNCEMENTS:

Mudtown Days Festival – May 31st, June 1st Senator Boozman will be there to participate in the parade and dedicate the new stage ride in the parade.

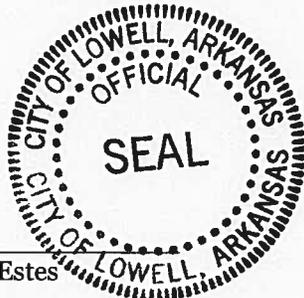
Mudtown Festival Volunteers Meeting - Tuesday, May 28, 2013 at 5:30PM.

ADJOURNMENT: Motion to adjourn was made by Councilwoman Lasater and seconded by Councilman Breland. There being no objections, the meeting adjourned at 7:49 p.m.

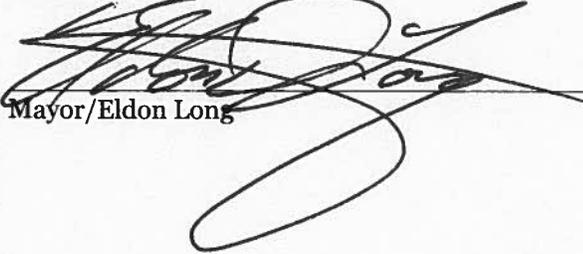
ATTEST:



City Clerk/Elizabeth Estes



APPROVED:



Mayor/Eldon Long