

**LOWELL CITY COUNCIL MINUTES
REGULAR COUNCIL MEETING
MAY 16, 2017 - 6:30PM**

CALL TO ORDER OF REGULAR COUNCIL MEETING: The Regular Meeting of the Lowell City Council was called to order at 6:31PM by **Mayor Long** at the Lowell Council Chambers.

INVOCATION: The Invocation was given by Richard Stone.

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

ROLL CALL: **Mayor Long** asked for roll call. City Clerk made a verbal roll call. Council Members present were Thomas **Evers**, **Lonnie Jones**, **Kendell Stucki**, **Todd Fenix**, **Linda Vannoy**, **David Adams**, **Dean Bitner** and **Delia Ingle**. **Deputy Attorney Kieklak was present, also**. There was quorum. A roster of all others in attendance is on file with these minutes.

CONSENT AGENDA:

**Corrected Lowell City Council Minutes Regular Meeting – April 18, 2017
Financial Statement – April 2017**

Motion was made to accept the Consent Agenda as presented.

Motion: Dean Bitner

Second: Kendell Stucki

Voice Vote Aye: Unanimous

Voice Vote Nay: None

Motion to accept Consent Agenda was approved.

PROCEDURAL MOTION TO SUSPEND THE RULES AND READ ALL ORDINANCES ONE TIME BY TITLE ONLY.

Motion was made to suspend the procedural motion and to read ordinances three times.

Motion: Dean Bitner

Second: Linda Vannoy

Voice Vote Aye: Unanimous

Voice Vote Nay: None

Motion to suspend the procedural motion and to read ordinances three times was approved.

PROCLAMATION – MAY 2017 IS NATIONAL HISTORIC PRESERVATION MONTH

Motion was made to approve Proclamation as presented.

Motion: Delia Ingle

Second: David Adams

Voice Vote Aye: Unanimous

Voice Vote Nay: None

Motion to approve Proclamation as presented was approved.

PUBLIC FORUM: Open: 6:39PM Close: 6:44PM

Lt. Paul Pillaro recognized Lt. Kevin Rinehart, a police officer who died in the line of duty, and asked us to show support for his children who live in Lowell.

Tom Griffith, 2100 Ladelle Ave, opposed alcohol at Mudtown Festival.

PRESENTATION OF ORDINANCES AND RESOLUTIONS:

OLD BUSINESS:

1. **ORDINANCE TO RECIND ORDINANCE NO. 204 AND ORDINANCE NO. 858, AND ORDINANCE NO. 89 AND TO AMEND THE CITY OF LOWELL CODE OF ORDINANCES SECTION 24, SECTION II PARK RULES, SECTION 24-9, AND DECLARING AN EMERGENCY.**

Councilman Bitner did not apply for liquor permits for Mudtown Festival for this year. Council will have twelve months to decide how to apply this ordinance to future festivals.

Motion was made to approve the Ordinance as presented.

Motion: Dean Bitner

Second: Todd Fenix

Vote Aye: Fenix, Stucki, Ingle, Adams Bitner

Vote Nay: Vannoy, Jones, Evers

Motion to approve Ordinance as presented was approved.

City Clerk read Ordinance by title only.

Ordinance was assigned No. 988.

Emergency Clause was not enacted.

NEW BUSINESS:

1. **RESOLUTION AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF LOWELL AND BLACK HILLS ENERGY FOR THE RELOCATION OF THEIR GAS LINE.**

Improvements must be made to the current location of the approximate 1250 feet of 6-inch wrapped steel transmission pipe along South Bellview Road on the site where the new firehouse will be located.

Motion was made to approve the Resolution as presented.

Motion: Kendell Stucki

Second: Delia Ingle

Vote Aye: Vannoy, Ingle, Jones, Adams, Fenix, Stucki, Evers, Bitner

Vote Nay: None

Motion to approve the Resolution as presented was approved.

Resolution was assigned No. 17-19.

2. **ORDINANCE TO WAIVE COMPETITIVE BIDDING AS IT RELATES TO BLACK HILLS ENERGY RELOCATING AND REPLACING STEEL TRANSMISSION PIPE ALONG A PORTION OF SOUTH BELLVIEW ROAD AND ZION CHURCH AVENUE IN THE CITY OF LOWELL, ARKANSAS.**

Competitive bidding is not necessary because Black Hills Energy will be relocating and replacing their own gas lines.

Motion was made to approve Ordinance as presented.

Motion: Dean Bitner

Second: Thomas Evers

Vote Aye: Fenix, Bitner, Vannoy, Evers, Ingle, Adams, Stucki, Jones

Vote Nay: None

Motion to approve Ordinance as presented was approved.

City Clerk read Ordinance by title only.

Ordinance was assigned No. 989.

3. RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF LOWELL AND LAKEWOOD HOLDINGS, LLC FOR THE PURPOSE OF COST SHARING IMPROVEMENTS TO MOUNT HEBRON ROAD.

City of Lowell and Lakewood Holdings, LLC will share cost of improvements.

Motion was made to approve Resolution as presented.

Motion: Dean Bitner

Second: David Adams

Vote Aye: Fenix, Adams, Jones, Evers, Bitner, Ingle, Stucki

Vote Nay: Vannoy

Motion to approve Resolution as presented was approved.

Resolution was assigned No. 17-20.

4. ORDINANCE TO WAIVE COMPETITIVE BIDDING IN ORDER TO ENTER INTO A COST SHARING AGREEMENT WITH LAKEWOOD HOLDINGS, LLC, FACILITATING THE CONSTRUCTION OF ROAD IMPROVEMENTS TO MOUNT HEBRON ROAD IN THE CITY OF LOWELL, AR.

Staff advises council that the bidding procedure is not feasible or practical due to the nature of the cost sharing opportunity with Lakewood Holdings, LLC.

Motion was made to approve Ordinance as presented.

Motion: Kendell Stucki

Second: David Adams

Vote Aye: Fenix, Bitner, Vannoy, Evers, Ingle, Adams, Stucki, Jones

Vote Nay: None

Motion to approve Ordinance as presented was approved.

City Clerk read Ordinance by title only.

Ordinance was assigned No. 990.

5. RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF LOWELL AND MCCLELLAND CONSULTING ENGINEERS, INC. FOR THE PURPOSE OF ENGINEERING DESIGN SERVICES FOR THE HWY 264/MONROE AND BELLVIEW ROAD INTERSECTION IMPROVEMENTS.

First phase of construction will be a two-lane road with a turn lane to speed up traffic.

Motion was made to approve Resolution as presented.

Motion: Thomas Evers

Second: Delia Ingle

Vote Aye: Vannoy, Ingle, Jones, Adams, Fenix, Stucki, Evers, Bitner

Vote Nay: None

Motion to approve Resolution as presented was approved.

Resolution was assigned No. 17-21.

COMMITTEE REPORTS:

Ordinance Committee Report: Next Meeting will be May 25, 6:00pm to discuss driveways, culverts and vicious animals.

ANNOUNCEMENTS:

1. ARKANSAS MUNICIPAL LEAGUE ANNUAL CONFERENCE – JUNE 14-16, 2017.
2. 2017 MUDTOWN FESTIVAL SCHEDULED FOR JUNE 2-3.
3. DEAN BITNER IS RETIRING FROM SPRINGDALE FIRE DEPARTMENT. COUNCIL MEMBERS WERE INVITED TO HIS RETIREMENT PARTY JUNE 30TH AT COORS PUBLIC HOUSE, EMMA STEET, SPRINGDALE AT 6:00PM.

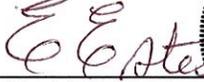
ADJOURNMENT: Motion to adjourn; motion by Delia Ingle and second by Dean Bitner. There being no objections, the meeting adjourned at 7:48PM.

APPROVED:



Mayor/Eldon Long

ATTEST:



City Clerk/Elizabeth Esterline
City of Lowell



Minutes of the Regular Council Meeting

March 21, 2017