

**LOWELL CITY COUNCIL MINUTES
REGULAR COUNCIL MEETING
MARCH 20, 2018 - 6:35PM**

CALL TO ORDER OF REGULAR COUNCIL MEETING: The Regular Meeting of the Lowell City Council was called to order at 6:32PM by **Mayor Long** at the Lowell Council Chambers.

INVOCATION: The Invocation was given by Brian Clark, Pastor CenterPoint Church, Lowell.

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, Shawn Cheney, Kendell Stucki, Todd Fenix, Linda Vannoy, David Adams, Dean Bitner. Lonnie Jones was absent. 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 – February 20, 2018
Financial Statement – February 2018

Motion made to accept the Consent Agenda.

Motion: Dean Bitner

Second: Kendell Stucki

Voice Vote Aye: Unanimous

Voice Vote Nay: None

Motion to accept Consent Agenda approved

Motion made to amend the agenda and add an ordinance to Item 6 and to move Item 6 to Item 7. The ordinance reads: An ordinance amending Ordinance No. 1005 to change the requirement that the members of the Lowell Advertising and Promotions Commission reside within the city, to a requirement requiring that members of the city of Lowell Advertising and Promotions Commission reside within Benton County, and declaring an emergency.

Motion: Dean Bitner

Second: Kendell Stucki

Voice Vote Aye: Unanimous

Voice Vote Nay: None

Motion to amend the agenda and add an ordinance to Item 6 and to move Item 6 to Item 7 passed.

PUBLIC FORUM: Open: 6:40PM Close: 6:42PM

Glenn Jones presented a canvas picture to Liz Estes, Director of Lowell Historical Museum. The picture was of a group of veterans who attended the fifth annual "We Salute Veterans – 2017" and it was Glenn's way of thanking Ms. Estes for her efforts to honor veterans in NWA. The picture will be put in the museum.

PRESENTATION OF ORDINANCES AND RESOLUTIONS

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

Motion made to suspend the rule and to read ordinances one time by title only.

Motion: Kendell Stucki

Second: Linda Vannoy

Voice Vote Aye: Bitner, Fenix, Stucki, Vannoy, Evers, Adams, Cheney

Voice Vote Nay: None

Motion to suspend the rule and to read ordinances one time by title only approved.

OLD BUSINESS: None.

NEW BUSINESS:

1. ORDINANCE ASSIGNING CERTAIN ANNEXED TERRITORY CONTIGUOUS TO AND ADJOINING THE CITY OF LOWELL AS WARD 2 WITHIN THE CITY OF LOWELL, ARKANSAS.

Property annexed into city of Lowell and now needs to be assigned to a ward.

Motion made to approve Ordinance as presented.

Motion: Linda Vannoy

Second: Todd Fenix

Vote Aye: Fenix, Adams, Vannoy, Evers, Bitner, Cheney, Stucki

Vote Nay: None

Motion to approve Ordinance approved.

City Clerk read Ordinance by title only.

Ordinance assigned No. 1009.

2. ORDINANCE AMENDING CHAPTER 5, SECTION 6.0 OF THE LOWELL DRAINAGE CRITERIA MANUAL TO ADD REGIONAL DETENTION TO COMMERCIAL SUBDIVISION AND FOR OTHER PURPOSES.

Changes to the current Lowell Drainage Criteria Manual will include extension of important regional detention practices to commercial subdivisions in the City of Lowell, Arkansas.

Motion made to approve Ordinance as presented.

Motion: Dean Bitner

Second: David Adams

Vote Aye: Bitner, Evers, Vannoy, Fenix, Adams, Cheney, Stucki

Vote Nay: None.

Motion to approve Ordinance was approved.

City Clerk read Ordinance by title only.

Ordinance assigned No. 1010.

3. RESOLUTION ACCEPTING THE BLACK HILLS ENERGY UTILITY WORK AGREEMENT APPROPRIATING FUNDING FOR ON-GOING PROJECTS FROM THE GENERAL FUND RESERVES DURING THE FISCAL YEAR OF 2018.

Mr. Stubbs of Black Hills Energy was not present. Billing was for \$159,227.03 and it is 24% increase over estimated cost of \$128,163.21. An explanation of the increase must be explained before the council can approve payment. Mayor Long was directed by councilmen to hold resolution for April meeting so he and Chief Morris can explore discrepancy with Black Hills Energy.

4. RESOLUTION AMENDING RESOLUTION NO. 11-6 WHICH CREATED THE HONORARY POSITION OF CITY CHAPLAIN FOR THE CITY OF LOWELL, ARKANSAS.

Resolution updated the duties of the chaplain and Jacque Eakins was appointed to replace Randy Brown as Honorary Chaplain for the City of Lowell.

Motion made to approve Resolution as presented.

Motion: Todd Fenix

Second: Linda Vannoy

Vote Aye: Evers, Fenix, Adams, Stucki, Vannoy, Bitner, Cheney

Vote Nay: None

Motion to approve Resolution as presented approved.

Resolution assigned No. 18-07.

5. RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF LOWELL AND GARVER LLC FOR ENGINEERING SERVICES FOR THE CROSS CREEK DRAINAGE BASIN GRAVITY SEWER IMPROVEMENTS TO EXTEND SEWER SERVICE TO THE KATHLEEN JOHNSON MEMORIAL PARK.

Improvements will be made within the Cross Creek drainage basin and will be extended to the Kathleen Johnson Memorial Park.

Motion to approve Resolution as presented.

Motion: Dean Bitner

Second: Thomas Evers

Vote Aye: Cheney, Evers, Vannoy, Fenix, Bitner, Stucki, Adams

Vote Nay: None

Motion to approve Resolution as presented approved.

Resolution assigned No. 18-08.

6. ORDINANCE AMENDING ORDINANCE NO. 1005 TO CHANGE THE REQUIREMENT THAT THE MEMBERS OF THE LOWELL ADVERTISING AND PROMOTIONS COMMISSION RESIDE WITHIN THE CITY, TO A REQUIREMENT REQUIRING THAT MEMBERS OF THE CITY OF LOWELL ADVERTISING AND PROMOTIONS COMMISSION RESIDE WITHIN BENTON COUNTY, AND DECLARING AN EMERGENCY.

Ordinance was amended to allow business owners who have an interest or business in City of Lowell and have multiple business in NWA to be a part of the Advertising and Promotions Commission.

Motion to approve Ordinance as presented.

Motion: Dean Bitner

Second: David Adams

Vote Aye: Evers, Fenix, Adams, Stucki, Vannoy, Bitner, Cheney

Vote Nay: None

Motion to approve Ordinance as presented approved.

Ordinance was read by City Clerk by title only.

Ordinance assigned No. 1011.

Motion to approve Emergency Clause.

Motion: Kendell Stucki

Second: David Adams

Vote Aye: Vannoy, Stucki, Fenix, Cheney, Adams, Evers, Bitner

Vote Nay: None.

Motion to approve Emergency Clause approved.

7. APPEAL OF EMPLOYEE TERMINATION

Meeting moved into Executive Session beginning 7:20PM and ended at 8:38PM with all council members returning to their seats. Appeal was denied.

Motion to move into Executive Session.

Motion: Mayor Long

Second: Todd Fenix

Voice Vote Aye: Unanimous

Voice Vote Nay: None

Motion to move into Executive Session approved.

COMMITTEE REPORTS: KJMP Steering Committee – Notes filed with minutes.

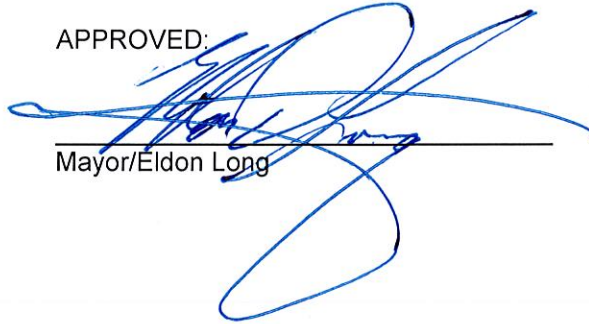
Ordinance Committee: Will meet April 5, 2018 at 6:00PM in Council Chambers to discuss changes in Employee Handbook, how to handle medical marijuana.

ANNOUNCEMENTS:

1. 2016 Legislative Audit Review
2. Goad Springs Cemetery – Request to assume lawn maintenance. After discussion, it was decided to pursue having the cemetery gifted or deeded to the city before they assume responsibility for maintenance, etc.
3. Annual Easter Egg Hunt, March 31st, hosted by Lowell Museum, at Ward Nail Park.
4. May 3, 2018 National Day of Prayer

ADJOURNMENT: Motion to adjourn; motion by Linda Vannoy and second by Shawn Cheney. There being no objections, the meeting adjourned at 9:12PM.

APPROVED:



Mayor/Eldon Long

ATTEST:



City Clerk/Elizabeth Estes

City of Lowell

Minutes of the Regular Council Meeting

March 20, 2018