

**LOWELL CITY COUNCIL MINUTES  
REGULAR COUNCIL MEETING  
APRIL 17, 2018 - 6:35PM**

**CALL TO ORDER OF REGULAR COUNCIL MEETING:** The Regular Meeting of the Lowell City Council was called to order at 6:33PM by **Mayor Long** at the Lowell Council Chambers.

**INVOCATION:** The Invocation was given by Councilwoman Linda Vannoy.

**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, Lonnie Jones, and Dean Bitner. 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 – March 20, 2018  
Financial Statement – March 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 to amend the agenda under New Business, remove Item 8 and move Item 9 to Item 1.**

**Motion: Linda Vannoy**

**Second: Dean Bitner**

**Voice Vote Aye: Unanimous**

**Voice Vote Nay: None**

**Motion to amend the agenda under New Business, remove Item 8 and move Item 9 to Item 1 passed.**

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

Leon Estes, 403 Linwood Ave., requested a light be installed at the intersection of Bloomington and School Avenue.

**PROCLAMATIONS:**

1) **BUILDING SAFETY MONTH – MAY 2018**

2) **NATIONAL HISTORIC PRESERVATION MONTH – MAY 2018**

**Motion to approve Proclamations.**

**Motion: Kendell Stucki**

**Second: Thomas Evers**

**Voice Vote Aye: Unanimous**

**Voice Vote Nay: None**

**Motion to approve Proclamations approved.**

**A & P COMMISSION APPOINTMENTS:**

**APPOINTEES:** Bill Adams (The Grove), Chuck Desai (Super 8), Linda Vannoy (Councilwoman), Rodney Lowe (Dairy Queen), Todd Fenix (Councilman), Lisa Clark (Workman's Travel Center).

**Motion made to approve A & P Commission Appointments.**

**Motion: Kendell Stucki**

**Second: David Adams**

**Voice Vote Aye: Adams, Jones, Evers, Bitner, Cheney, Stucki**

**Voice Vote Nay: None**

**Abstain: Vannoy, Fenix**

**Motion to approve A & P Commission Appointments approved.**

**PLANNING COMMISSION – FILLING VACATED POSITION FOR LLOYD SHOWALTER WITH TERM EXPIRING JUNE 13, 2019.**

**Brandon Allen, Manager BIM, appointed to fill vacancy with term expiring June 13, 2019.**

**Motion made appointing Brandon Allen to fill vacated position on Planning Commission.**

**Motion: Linda Vannoy**

**Second: Todd Fenix**

**Voice Vote Aye: Unanimous**

**Voice Vote Nay: None**

**Motion to approve appointing Brandon Allen to fill vacated position on Planning Commission approved.**

**PRESENTATIONS:**

- 1) **PROJECT RED FRIDAY** – Mike Whitehead: Connection & Growth Center supports men and women in the military. The project is divided into three phases: Visitors Center, Aquaponics and Building marketable items to sell to help homeless veterans with housing and employment.
- 2) **NWA SPACE** – Katherine Auld: The sixth largest telescope in America will give the public the ability to reach out into space and observe the stars and planets of our area. The facilities will be built in phases: Observatory, Planetarium, Robotics Lab and Stonehenge Replica.

**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, Jones**

**Voice Vote Nay: None**

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

**OLD BUSINESS:**

1. **RESOLUTION ACCEPTING THE BLACK HILLS ENERGY UTILITY WORK AGREEMENT APROPRIATING 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. Item was tabled until there is a motion to bring it back.

**Motion made to table Resolution until there is a motion to bring it back.**

**Motion: Todd Fenix**

**Second: Kendell Stucki**

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

**Vote Nay: None**

**Motion to table Resolution until there is a motion to bring it back was approved.**

**NEW BUSINESS:**

**1. APPEAL TO CITY COUNCIL OF PLANNING COMISSIONS' DECISION TO DENY REZONE REQUEST FOR 803 CONCORD FROM RESIDENTIAL-A (R-A) TO MEDIUM DENSITY RESIDENTIAL-(MDR).**

Mike Stophlet requested that the appeal be changed to rezone 23 acres at 803 Concord from Residential-A (R-A) to single family Residential (R-E).

**Public Hearing: Open: 7:30PM Close: 7:48PM**

John Ratzki asked that if all 23 acres were zoned Residential (R-E) they should remain Residential (R-E).

Michael Smith, 620 Garland Place, was against rezone to Residential (R-E).

Lisa De Gifford, 607 Concord, was in favor of rezoning property to Residential (R-E).

Casey Kuth, 603 Concord, worked with Mr. Stophlet and neighbors to come to the agreement of zoning 803 Concord to single family Residential (R-E).

Paul Lewis, 320 Ridgemont, asked if covenants governed the property being rezoned.

**Motion made to approve appeal to change rezone of 803 Concord from Residential-A (R-A) to single family Residential (R-E).**

**Motion: Dean Bitner**

**Second: Todd Fenix**

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

**Vote Nay: None**

**Motion to approve appeal to change rezone of 803 Concord from Residential-A (R-A) to single family Residential (R-E) was approved.**

**AN ORDINANCE AMENDING THE CITY OF LOWELL CODE OF ORDINANCES, SECTION 16-59, BY REZONING CERTAIN LANDS FROM RESIDENTIAL-A (R-A) TO RESIDENTIAL E.**

City Attorney read Ordinance by title only.

Ordinance assigned No. 1012.

**Motion made to recess.**

**Motion: Kendell Stucki**

**Second: David Adams**

**Voice Vote Aye: Unanimous**

**Voice Vote Nay: None**

**Motion to recess approved.**

Councilmembers recessed starting at 7:55PM and ended at 8:10PM. All councilmembers returned to their seats.

**2. RESOLUTION TO EXPRESS THE CITY'S SUPPORT OF PROJECT RED FRIDAY FOR USE OF THREE (3) ACRES OF THE KATHLEEN JOHNSON MEMORIAL PARK FOR THE "CONNECTION AND GROWTH CENTER" IN THE CITY OF LOWELL, ARKANSAS.**

When this ordinance is passed, Mike Whitehead will become a member of the KJMP Steering Committee.

**Motion made to approve Resolution as presented.**

**Motion: Kendell Stucki**

**Second: Linda Vannoy**

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

Vote Nay: Jones  
Motion to approve Resolution was approved.  
Resolution is assigned No. 18-09.

**3. RESOLUTION TO EXPRESS THE CITY'S SUPPORT OF THE NWA SPACE PROJECT AT KATHLEEN JOHNSON MEMORIAL PARK WITH PLANS FOR BUILDING OF A SCIENCE CENTER AND TELESCOPE OBSERVATORY IN THE CITY OF LOWELL, ARKANSAS.**

When this ordinance is passed, Katherine Auld will become a member of the KJMP Steering Committee.

Motion made to approve Resolution as presented.  
Motion: Todd Fenix  
Second: Shawn Cheney  
Vote Aye: Bitner, Evers, Vannoy, Jones, Fenix, Adams, Cheney, Stucki  
Vote Nay: None  
Motion to approve Resolution was approved.  
Resolution is assigned No. 18-10.

**4. RESOLUTION APPROVING AND ADOPTING AN UPDATED PERSONNEL POLICY MANUAL FOR THE CITY OF LOWELL, ARKANSAS.**

Item was tabled until there is a motion to bring it back.

Motion made to table Resolution until there is a motion to bring it back.  
Motion: Kendell Stucki  
Second: Todd Fenix  
Vote Aye: Fenix, Adams, Vannoy, Jones, Evers, Bitner, Cheney, Stucki  
Vote Nay: None  
Motion to table Resolution until there is a motion to bring it back was approved.

**5. RESOLUTION APPROPRIATING FUNDING FOR THE PARK CENTRAL PROJECT FROM THE GENERAL UNASSIGNED RESERVES DURING THE FISCAL YEAR OF 2018.**

Released a check and passed resolution June 2016; re-appropriated January 2017.

Motion to approve Resolution as presented.  
Motion: Kendall Stucki  
Second: David Adams  
Vote Aye: Evers, Fenix, Bitner, Vannoy, Adams, Jones, Cheney, Stucki  
Vote Nay: None  
Motion to approve Resolution as presented approved.  
Resolution assigned No. 18-11.

**6. RESOLUTION ALLOWING THE MAYOR AND FINANCE DIRECTOR OF THE CITY OF LOWELL, ARKANSAS TO EXECUTE AGREEMENTS WITH FINANCIAL INSTUTIONS.**

Resolution specific to Purchasing Card and Regions Bank to provide for a more secure system and better control.

Motion to approve Resolution as presented.  
Motion: Kendell Stucki  
Second: David Adams  
Vote Aye: Fenix, Adams, Vannoy, Jones, Evers, Bitner, Cheney, Stucki  
Vote Nay: None  
Motion to approve Resolution as presented approved.  
Resolution assigned No. 18-12.

**7. ORDINANCE AMENDING THE CITY OF LOWELL CODE OF ORDINANCES, SECTION 16-59, BY REZONING CERTAIN LANDS FROM RESIDENTIAL-A (R-A) TO COMMERCIAL (C).**

Planning Commissioners unanimously approved rezone at April 16, 2018 meeting.

**Motion to approve Ordinance as presented.**

**Motion:** Dean Bitner

**Second:** David Adams

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

**Vote Nay:** None

**Motion to approve Ordinance as presented approved.**

City Clerk read Ordinance by title only.

Ordinance assigned No. 1013.

**8. ORDINANCE AMENDING ORDINANCE NO. 643 ESTABLISHING PARKING RESTRICTIONS AND AMENDING CHAPTER 28 OF THE CODE.**

Item was tabled until there is a motion to bring it back.

**Motion made to table Ordinance until there is a motion to bring it back.**

**Motion:** Dean Bitner

**Second:** Todd Fenix

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

**Vote Nay:** None

**Motion to table Ordinance until there is a motion to bring it back was approved.**

**9. ORDINANCE TO ESTABLISH STANDARDS FOR SMALL WIRELESS FACILITIES TO BE PLACED IN CITY RIGHTS-OF-WAY IN THE CITY OF LOWEL, ARKANSAS, AND FOR OTHER PURPOSES.**

Item was removed from agenda.

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

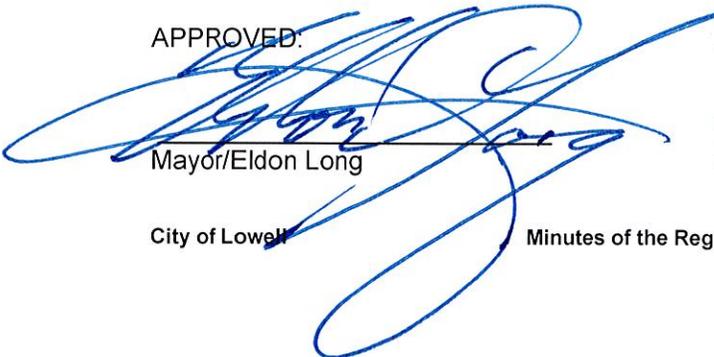
Personnel Committee will meet April 30, 2018 at 6:00PM in Council Chambers to discuss changes in Employee Handbook.

**ANNOUNCEMENTS:**

1. Springdale Northern Bypass (Hwy 412) Ribbon Cutting Set for Wednesday, April 18, 2018 Beginning at 11:00am
2. Report on Annual Easter Egg Hunt – March 31, 2018. Thanks to CenterPoint Church and First National Bank of Rogers for their participation and prizes.
3. Chief Joe Landers Memorial Bike Ride – May 5, 2018
4. National Day of Prayer – Adam Haynes – 7:00am May 3, 2018

**ADJOURNMENT:** Motion to adjourn; motion by Dean Bitner and second by Linda Vannoy. There being no objections, the meeting adjourned at 8:41PM.

APPROVED:

  
Mayor/Eldon Long

ATTEST:

  
City Clerk/Elizabeth Estes

