

**LOWELL CITY COUNCIL MINUTES  
REGULAR COUNCIL MEETING  
MARCH 19, 2024**

**INVOCATION:** Pastor Brian Clark

**PLEDGE OF ALLEGIANCE:** Steve Whitehead

**CALL TO ORDER OF REGULAR COUNCIL MEETING:** The Regular Meeting of the Lowell City Council was called to order at 6:35PM

**ROLL CALL:** Councilman Steve Whitehead, Bryant Sands, Eric Schein, Adrian Flores, Lisa DeGifford, Roy Brunson were present. Deputy Attorney Kieklak was present. Mayor Moore, Kendell Stucki, Bill Adams were absent. A roster of all others in attendance is on file with these minutes.

**Motion to nominate Steve Whitehead to be moderator.**

**Moton:** Lisa DeGifford

**Second:** Bryant Sands

**Voice Vote Aye:** Unanimous

**Voice Vote Nay:** None

**Motion to nominate Steve Whitehead to be moderator approved.**

**CONSENT AGENDA ITEMS:**

Lowell City Council Minutes Regular Meeting – February 20, 2024

Financial Statement – February 2023

**Motion to approve the Consent Agenda.**

**Motion:** Eric Schein

**Second:** Roy Brunson

**Voice Vote Aye:** Schein, Sands, Flores, DeGifford, Brunson, Whitehead

**Vote Nay:** None

**Motion to approve the Consent Agenda approved.**

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

Brian Clark thanked the council and community for their support and invited all to help stuff 12,000 Easter Eggs on March 23<sup>rd</sup> and that the Easter Egg Hunt will be held at Ward Nail Park on March 30<sup>th</sup>.

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

**Motion to approve Procedural Motion as presented.**

**Motion:** Lisa DeGifford

**Second:** Adrian Flores

**Vote Aye:** Sands, Whitehead, DeGifford, Schein, Flores, Brunson

**Vote Nay:** None

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

**OLD BUSINESS:** None

**NEW BUSINESS:**

Kevin Faught with Stephens, Inc. explained the financing options for the proposed bonds to help pay for the Lift Station and Sewer Improvements needed. Does the Council wish for him to move forward with the plans for the Bonds?

**Motion to go forward with bond plans as presented by Mr. Kevin Faught.**

**Motion: Eric Schein**

**Second: Lisa DeGifford**

**Voice Vote Aye: Unanimous**

**Voice Vote Nay: None**

**Motion to go forward with bond plans as presented by Mr. Kevin Faught approved.**

**1 – ORDINANCE TO AMEND SECTION 16-142: COMMERCIAL DISTRICTS OF THE LOWELL MUNICIPAL CODE.**

It has become apparent to the City Council of Lowell that a need exists to amend Section 16-142: Commercial Districts of the Lowell Municipal Code in order to provide updated zoning regulations for commercial districts as set forth in Exhibit A.

**Motion to approve Ordinance.**

**Motion: Lisa DeGifford**

**Second: Eric Schein**

**Vote Aye: Whitehead, Flores, Sands, Schein, DeGifford, Brunson**

**Vote Nay: None**

**Motion to approve Ordinance approved.**

**City Clerk read the Ordinance one time by title only.**

**Ordinance Assigned No. 1136.**

**2 – ORDINANCE TO AMEND SECTION 16-254: OFF STREET PARKING AND LOADING OF THE LOWELL MUNICIPAL CODE.**

The City of Lowell is amending Section 16-254: Off Street Parking and Loading of the Lowell Municipal Code in order to provide updated regulations for commercial and recreational vehicles in residential districts.

**Motion to approve Ordinance.**

**Motion: Roy Brunson**

**Second: Adrian Flores**

**Vote Aye: Schein, Brunson, Sands, Whitehead, DeGifford**

**Vote Nay: Flores**

**Motion to approve Ordinance approved.**

**City Clerk read the Ordinance one time by title only.**

**Ordinance Assigned No. 1137.**

**3 – ORDINANCE AMENDING 28:35 PARKING OF COMMON CARRIERS, TRUCKS, TRACTORS, RECREATIONAL VEHICLES, TRAILERS, BOATS, AND BOAT TRAILERS ON PUBLIC STREETS PROHIBITED OF THE LOWELL MUNICIPAL CODE.**

A need exists to amend Section 28:35: Parking of Common Carriers, Trucks, Tractors, Recreational Vehicles, Trailers, Boats and Boat Trailers on Public Streets Prohibited of the Lowell Municipal Code in order to provide updated regulated regulations for prohibited parking on public streets.

**Motion to approve Ordinance.**

**Motion: Roy Brunson**

**Second: Lisa DeGifford**

**Vote Aye: Sands, Whitehead, DeGifford, Schein, Flores, Brunson**

**Vote Nay: None**

**Motion to approve Ordinance approved.**  
**City Clerk read the Ordinance one time by title only.**  
**Ordinance Assigned No. 1138**

**4 – ORDINANCE TO AMEND 28-72: PROHIBITED LOCATIONS OF THE LOWELL MUNICIPAL CODE.**

The City Council of Lowell feels that a need exists to amend Sec. 28:72: Prohibited Locations of the Lowell Municipal Code to provide updated regulations for prohibited locations to stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the law or direction of a police officer or traffic control device.

**Motion to approve Ordinance.**

**Motion: Roy Brunson**  
**Second: Lisa DeGifford**  
**Vote Aye: Brunson, DeGifford, Flores, Whitehead, Schein, Sands**  
**Vote Nay: None**

**Motion to approve Ordinance approved.**  
**City Clerk read the Ordinance one time by title only.**  
**Ordinance Assigned No. 1139**

**5 – ORDINANCE TO AMEND SECTION 2-19: REFERENDA ON ORDINANCES OF THE LOWELL MUNICIPAL CODE.**

It has been determined that the vast majority of cities in Arkansas, including the surrounding cities of City of Lowell, have adopted referendum periods of thirty (30) days as permitted by Arkansas law. City Council of Lowell determined a need exists to amend Section 2-19: Referenda on Ordinances of the Lowell Municipal Code in order to provide updated and uniform regulations for filing referendum petitions with the city clerk.

**Motion to approve Ordinance.**

**Motion: Roy Brunson**  
**Second: Lisa DeGifford**  
**Vote Aye: Brunson, DeGifford, Flores, Whitehead, Schein, Sands**  
**Vote Nay: None**

**Motion to approve Ordinance approved.**  
**City Clerk read the Ordinance one time by title only.**  
**Ordinance Assigned No. 1140**

**6 – RESOLUTION TO AUTHORIZE THE MAYOR TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH GROUND ZERO CONSTRUCTION, INC. FOR THE WEST LOWELL REGIONAL LIFT STATION AND SEWER IMPROVEMENT PROJECT.**

The low bid proposal in the amount of \$8,675,829.00 was submitted by Ground Zero Construction, Inc. and the engineer for this project recommends that this bid be accepted. The City Council has determined that the contractor is experienced and qualified to perform the scope of the work included in this project.

**Motion to accept this Resolution.**

**Motion: Eric Schein**  
**Second: Lisa DeGifford**  
**Vote Aye: Whitehead, Flores, Sands, Schein, DeGifford, Brunson**  
**Vote Nay: None**

**Motion to accept this Resolution approved.**  
**Resolution Assigned 24-05.**

**7 – RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE WORK ORDER NO. 1 FOR THE HONEYSUCKLE STREET SIDEWALK EXTENSION PROJECT IN THE CITY OF LOWELL, ARKANSAS.**

The City Council has determined that it is in the best interest and benefit of the community to authorize the Mayor to execute Work Order No. 1 for the Honeysuckle Street Sidewalk Expansion Project.

**Motion to approve Resolution.**

**Motion: Eric Schein**

**Second: Lisa DeGifford**

**Vote Aye: Whitehead, Sands, Schein, DeGifford, Brunson**

**Vote Nay: Flores**

**Motion to approve Resolution approved.**

**Resolution Assigned No. 24-06.**

**8 – RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDED WORK ORDER #3 FOR THE HWY 264 RAZAORBACK GREENWAY TUNNEL CROSSING AND TRAIL EXTENSION PROJECT IN THE CITY OF LOWELL.**

It is apparent that Work Order #3 requires an amendment in order to expand the scope of services to provide National Environmental Policy Act (NEPA) documentation and associated documents and to prepare additional right-of-way and easement documentation/exhibits and staking, resulting in a project cost increase in the amount of \$24,710.00.

**Motion to approve Resolution.**

**Motion: Eric Schein**

**Second: Roy Brunson**

**Vote Aye: Flores, Brunson, Whitehead, Sands, Schein, DeGifford**

**Vote Nay: None**

**Motion to approve Resolution approved.**

**Resolution Assigned No. 24-07.**

**9 – RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF LOWELL TO APPLY FOR STBGP-A FUNDING FOR DESIGN OF APPLEBLOSSOM AVENUE FROM GOAD SPRINGS ROAD TO OLD WIRE ROAD.**

The improvements to Apple Blossom are regionally important to improve east/west access from I-49, Hwy 71B and Hwy 265. Due to the regional significance of the project, STBGP-A funding may be available.

**Motion to approve Resolution.**

**Motion: Eric Schein**

**Second: Roy Brunson**

**Vote Aye: Whitehead, Sands, Schein, DeGifford, Brunson**

**Vote Abstain: Flores**

**Vote Nay: None**

**Motion to approve Resolution approved.**

**Resolution Assigned: 24-08**

**10 – RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF LOWELL, ARKANSAS TO UTILIZE FEDERAL-AID FUNDS FOR THE PLAYGROUND EXPANSION OF KATHLEEN JOHNSON MEMORIAL PARK.**

The City of Lowell authorizes the application submittal for the Playground Expansion of the Kathleen Johnson Memorial Park. The City of Lowell will participate in accordance with its designated responsibilities in this project, including providing the local match requirement. The Mayor is authorized to execute all appropriate agreements and contracts necessary to expedite the construction project.

**Motion to approve Resolution.**

**Motion: Lisa DeGifford**  
**Second: Roy Brunson**  
**Vote Aye: Whitehead, Flores, Sands, Schein, DeGifford, Brunson**  
**Vote Nay: None**  
**Motion to approve Resolution approved.**  
**Resolution Assigned No. 24-09**

**11 – RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF LOWELL, ARKANSAS TO UTILIZE FEDERAL-AID FUNDS FOR THE CONSTRUCTION OF MONROE AVENUE TO HIGHWAY 265.**

The City of Lowell authorizes the application submittal for the construction of Monroe Avenue to Highway 265. The City of Lowell will participate in accordance with its designated responsibilities in this project, including providing the local match requirement. The Mayor is authorized to execute all appropriate agreements and contracts necessary to expedite the construction project.

**Motion to approve Resolution.**  
**Motion: Eric Schein**  
**Second: Adrian Flores**  
**Vote Aye: Whitehead, Flores, Sands, Schein, DeGifford, Brunson**  
**Vote Nay: None**  
**Motion to approve Resolution approved.**  
**Resolution Assigned No. 24-10**

**12 – RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF LOWELL, ARKANSAS TO UTILIZE FEDERAL-AID FUNDS FOR THE CONSTRUCTION OF A TRAIL ALONG GOAD SPRINGS ROAD.**

The City of Lowell authorizes the application submittal for the Construction of a Trail Along Goad Springs Road. The City of Lowell will participate in accordance with its designated responsibilities in this project, including providing the local match requirement. The Mayor is authorized to execute all appropriate agreements and contracts necessary to expedite the construction project.

**Motion to approve Resolution.**  
**Motion: Lisa DeGifford**  
**Second: Roy Brunson**  
**Vote Aye: Whitehead, Flores, Sands, Schein, DeGifford, Brunson**  
**Vote Nay: None**  
**Motion to approve Resolution approved.**  
**Resolution Assigned No. 24-11**

**13 – RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF LOWELL, ARKANSAS TO UTILIZE FEDERAL-AID FUNDS FOR THE HIGHWAY 264 WIDENING PROJECT FROM GOAD SPRINGS ROAD TO BELLVIEW.**

The City of Lowell authorizes the application submittal for the Highway 264 Widening Project from Goad Springs Road to Bellview. The City of Lowell will participate in accordance with its designated responsibilities in this project, including providing the local match requirement. The Mayor is authorized to execute all appropriate agreements and contracts necessary to expedite the construction project.

**Motion to approve Resolution.**  
**Motion: Eric Schein**  
**Second: Roy Brunson**  
**Vote Aye: Whitehead, Flores, Sands, Schein, DeGifford, Brunson**  
**Vote Nay: None**  
**Motion to approve Resolution approved.**

Resolution Assigned No. 24-12

**14 – RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF LOWELL, ARKANSAS TO UTILIZE FEDERAL-AID FUNDS FOR THE SAFE STREETS FOR ALL HONEYSUCKLE SIDEWALK PROJECT.**

**Motion to approve Resolution.**

**Motion: Eric Schein**

**Second: Roy Brunson**

**Vote Aye: Whitehead, Flores, Sands, Schein, DeGifford, Brunson**

**Vote Nay: None**

**Motion to approve Resolution approved.**

Resolution Assigned No. 24-13

**15 – RESOLUTION TO RATIFY AND APPROVE THE MAYOR’S EXECUTION OF THE ARKANSAS DIVISION OF ENVIRONMENTAL EQUALITY CONSENT ADMINISTRATION ORDER ON BEHALF OF THE CITY OF LOWELL.**

The City of Lowell has received and reviewed the proposed CAO and understands the requirements in order to achieve compliance, including payment of a civil penalty for the violations set forth in the CAO in the amount of \$3,100.00, of which only \$775.00 must be paid, as long as this smaller amount is paid within thirty days of the effective date of the CAO and the City remains in compliance with the CAO, as demonstrated by the submission of monthly compliance reports to Arkansas DEQ. The Mayor is authorized to take all such action as necessary in connection therewith and expend funds for compliance activities as required by the CAO.

**Motion to approve Resolution.**

**Motion: Aerial Flores**

**Second: Roy Brunson**

**Vote Aye: Whitehead, Flores, Sands, Schein, DeGifford, Brunson**

**Vote Nay: None**

**Motion to approve Resolution approved.**


Resolution Assigned No. 24-14

**ANNOUNCEMENTS / DISCUSSION:**

The Lowell Easter Egg Stuffing Party will be held at the Lowell Senior Center on March 23<sup>rd</sup> beginning at 9:00am. The Lowell Easter Egg Hunt will be held on March 30<sup>th</sup> at Ward Nail Park at 2:00pm.

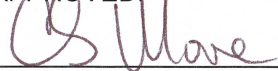
**ADJOURNMENT:** Entertain a motion to adjourn. Motion: Eric Schein. Second: Adrian Fores. There being no objections, the meeting was adjourned at 8:08pm.

ATTEST:

  
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City Clerk/Elizabeth Estes



APPROVED:

  
\_\_\_\_\_  
Mayor/Chris Moore