

**LOWELL CITY COUNCIL MINUTES
REGULAR COUNCIL MEETING
DECEMBER 16, 2014 - 6:30PM**

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 **Councilman Ronnie Breland**.

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, Janette Lasater, Kendell Stucki, Ronnie Breland, Keith Williams, Dean Bitner, and Connor Jones. Deputy Attorney Kieklak** was present. There was quorum. A roster of all others in attendance is on file with these minutes.

CONSENT AGENDA:

**Lowell City Council Minutes Regular Meeting – November 18, 2014
Financial Statement – November, 2014**

Motion was made to approve Consent Agenda.

Motion: Ronnie Breland

Second: Connor Jones

Voice Vote Aye: Unanimous

Voice Vote Nay: None

Motion to accept Consent Agenda was approved.

PUBLIC FORUM: Open: 6:38PM Close: 6:43PM

John Chavez, 704 McClure Avenue, had come before the council previously to inquire about the barking dogs ordinance. He said some of the council members went by his house and heard the barking dogs. On December 7, early Sunday morning, a troubling incident occurred. His neighbor was out of control and he saw the police officers with him. His neighbor had a big staff or something that looked like a weapon to him. If he had been a police officer, he would have told the man to drop it, the man was way out of control and started calling him a lot of names. John got angry and called his neighbor names, just one, finally got himself under control. His complaint was the police officer didn't do anything. He called the police chief, but couldn't get him. He talked with Sgt. Taylor who said he would leave a note for Lt. Pillaro to call him back but he didn't call him back. He wasn't surprised. Last time he came before the council he praised the police officer. Last Saturday he called the police and they came out but didn't hear the dogs barking but no one was home 12:30 in the morning. His neighbor threatened him in front of the police officer and nothing was done. His neighbor said he was in his rights to (I guess) to shoot him if he was on the other side of the fence. John is a NRA guy and not bothered by the threat. He asked the council if they had looked into the ordinance and wanted to know what could be done about the barking dogs.

Dean Bitner reported that the Ordinance Committee had met and discussed the difficulty of catching barking dogs. The incident John was discussing was outside an ordinance. Councilman Bitner encouraged John to discuss with the chief and mayor. Council was not able to take any action on this incident.

PRESENTATION OF ORDINANCES AND RESOLUTIONS:

- 1. TABLED ORDINANCE: ORDINANCE TO RESCIND ORDINANCE NO. 204 AND ORDINANCE NO. 858 AND ORDINANCE NO. 869, AND TO AMEND THE CITY OF LOWELL CODE OF ORDINANCES SECTION 24, ARTICLE II PARK RULES, SECTION 24-19.**

Motion was made to bring Ordinance back to table.

Motion: Ronnie Breland

Second: Janette Lasater

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

Vote Nay: None

Motion to bring Ordinance back to table was approved.

Motion was made to amend Ordinance by striking emergency clause and putting it on first reading by title only. City Attorney advised the motion should be broken into two separate actions. Councilman Bitner amended his motion as follows.

Motion was made to amend Ordinance by striking emergency clause.

Motion: Dean Bitner

Second: Keith Williams

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

Vote Nay: Breland

Motion to amend Ordinance by striking emergency clause was approved.

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

Motion: Janette Lasater

Second: Ronnie Breland

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

Vote Nay: None

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

City Attorney explained that presently no alcohol can be consumed in the parks. This ordinance would change it so alcoholic beverages could be consumed in the parks during certain festivals, events in which vendors could sell these beverages in the parks. They would have to obtain written permission from the mayor prior to selling it in the parks.

Motion was made to approve the Ordinance as presented.

Motion: Dean Bitner

Second: Ronnie Breland

Vote Aye: Bitner, Schein, Stucki, Williams

Vote Nay: Lasater, Breland, Evers, Jones

Motion to approve the Ordinance as presented failed.

Mayor declined to break the tie.

OLD BUSINESS:

1. CORRECTED CITY OF LOWELL LAND USE PLAN.

Kris brought an updating City of Lowell Land Use Plan showing the corrections made at the last council meeting. Plan was adopted at the last council meeting and needed no further action at this meeting.

NEW BUSINESS:

1. RESOLUTION ENDORSING THE NORTHWEST ARKANSAS REGIONAL BICYCLE AND PEDESTRIAN MASTER PLAN AND ADOPTING THE UPDATED CITY PLAN FOR THE CITY OF LOWELL, ARKANSAS AS PART OF THE MASTER PLAN.

Kris Sullivan included maps in the council packets. The Planning Commission held a public hearing on December 1, 2014 and recommended the plan to the council for their action. The process has taken over a year in a two county effort to create a regional bicycle and pedestrian plan. In 25 communities they will have their own personalized plan. John McCarty gave a PowerPoint presentation.

Safety, fencing and lighting issues were addressed and will be determined by those administering the plan.

Motion was made to approve the Resolution as presented.

Motion: Dean Bitner

Second: Keith Williams

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

Vote Nay: None

Motion to approve the Resolution as presented was approved.

Resolution was assigned No. 14-28.

2. RESOLUTION ADOPTING AN AMENDED 2014 BUDGET FOR THE CITY OF LOWELL, ARKANSAS.

Housekeeping procedure done each December, Finance Director presented the amended 2014 budget for the City of Lowell, Arkansas.

Motion was made to approve the Resolution as presented.

Motion: Janette Lasater

Second: Ronnie Breland

Vote Aye: Bitner, Breland, Stucki, Lasater, Evers, Williams, Jones

Vote Nay: Schein

Motion to approve the Resolution as presented was approved.

Resolution was assigned No. 14-29.

3. RESOLUTION ADOPTING THE 2015 BUDGET FOR THE CITY OF LOWELL, ARKANSAS.

Mayor Long read a statement commending Chairman of Finance Committee and Finance Director or their work on the 2015 Budget. Finance Director presented the 2015 Budget with a surplus of \$20,985 with added changes as listed with the minutes on a separate sheet attached.

Motion was made to approve the Resolution with the budget changes as presented.

Motion: Kendell Stucki

Second: Dean Bitner

Vote Aye: Jones, Evers, Breland, Williams, Lasater, Bitner, Stucki

Vote Nay: Schein

Motion to approve the Resolution with the budget changes as presented was approved.

Resolution was assigned No. 14-30.

COMMITTEE REPORTS

FINANCE COMMITTEE – Councilman Williams reported the committee approved the budget.

ORDINANCE COMMITTEE – Councilman Bitner announced we were adding three new paramedic positions to the fire department. Ordinance Committee did not meet in December but he will schedule a meeting on January 6, 2015.

ANNOUNCEMENTS:

Special recognition to outgoing council members, Ronnie Breland and Janette Lasater.

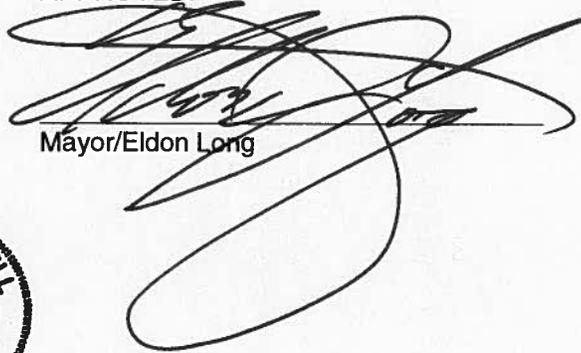
Employee of the Year: Melanie Houston

Reminder by City Clerk of when and where new aldermen needed to be sworn in and that campaign expense reports are due by December 31, 2014.

Connor Jones commended the police department, Lt. Pillaro, and other city employees for their hard work.

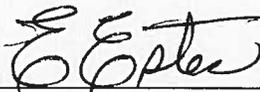
ADJOURNMENT: Motion to adjourn was made by Councilman Bitner and second was made by Councilman Jones. There being no objections, the meeting adjourned at 7:39PM.

APPROVED:



Mayor/Eldon Long

ATTEST:



City Clerk/Elizabeth Estes



City of Lowell

Minutes of the Regular Council Meeting

December 16, 2014