Mayor – Sandy Sanders

City Administrator – Ray Gosack

City Clerk – Sherri Gard

Board of Directors

Ward 1 – Keith Lau
Ward 2 – Andre' Good
Ward 3 – Mike Lorenz
Ward 4 – George Catsavis
At Large Position 5 – Pam Weber
At Large Position 6 – Kevin Settle
At Large Position 7 – Philip H. Merry Jr.

AGENDA

Fort Smith Board of Directors
Regular Meeting
May 7, 2013 ~ 6:00 P.M.
Fort Smith Public Schools Service Center
3205 Jenny Lind Road

THIS MEETING IS BEING TELECAST LIVE ON THE GOVERNMENT ACCESS CHANNEL 6

INVOCATION & PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION BY MEMBERS OF THE BOARD OF DIRECTORS OF ANY ITEMS OF BUSINESS NOT ALREADY ON THE AGENDA FOR THIS MEETING
(Section 2-37 of Ordinance No. 24-10)

APPROVE MINUTES OF THE APRIL 16, 2013 REGULAR MEETING

ITEMS OF BUSINESS:

1. Presentation: Proclamation for Municipal Clerks Week *(May 5 – 11, 2013)*

2. Ordinance rezoning identified property and amending the zoning map *(from Unzoned to Industrial Light (I-1) by classification located at 7300 Chad Colley Boulevard)*

3. Ordinance amending the 2009 Unified Development Ordinance of the City of Fort Smith *(Planned Zoning Districts)*

4. Ordinance establishing regulations and charges for residential sanitation services provided by the Department of Sanitation of the City of Fort Smith

5. Ordinance amending Section 7-71 of the Fort Smith Municipal Code to decrease the number of members on the Oak Cemetery Commission

6. Consent Agenda

A. Resolution to accept the bids and authorize a contract for the construction of Dallas Street Repair / Diamond Grinding, Project No. 13-90-A *($230,592.75 / Engineering Department / Budgeted – Sales Tax Program)*

B. Resolution authorizing the Mayor to execute an agreement for professional services with MAHG Architecture, Inc. for the Belle Grove Center *($25,225.00 / Parks Department / Budgeted – Parks Department Capital Outlay)*

C. Resolution authorizing execution of an agreement between Fort Smith EMS, Inc. and the City of Fort Smith, Arkansas for use of a portion of Elm Grove Community Center

D. Resolution accepting donation of Lot 12 Block 36 located at 701 North 8th Street adjacent to the Belle Grove Center property

E. Resolution authorizing a lease agreement with The American National Red Cross

F. Resolution accepting bid for land fill bulldozer *($568,124.10 / Sanitation Department / Budgeted – Sinking Fund)*

OFFICIALS FORUM ~ presentation of information requiring no official action

(Section 2-36 of Ordinance No. 24-10)

- Mayor
- Directors
- City Administrator

EXECUTIVE SESSION

Appointment: Planning Commission (1)

(Placed on agenda by unanimous consent of the Board of Directors on May 3, 2013)

ADJOURN

2.

ORDINANCE NO._____

AN ORDINANCE REZONING IDENTIFIED PROPERTY AND AMENDING THE ZONING MAP

WHEREAS, the City Planning Commission has heretofore held a public hearing upon request No. 4-4-13 to rezone certain properties hereinafter described, and, having considered said request, recommended on April 9, 2013, that said change be made;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS:

SECTION 1: That the following properties to-wit:

Part of the East Half (E ½) of the Southwest Quarter (SW ¼) and Part of the West Half (W ½) of the Southeast Quarter (SE ¼) of Section 5, Township 7 North, Range 31 West, City of Fort Smith, Sebastian County, Arkansas, being more particularly described as follows:

Commencing at a set ½" rebar marking the Southwest corner of said Section 5, per AHTD right-of-way plans; thence N 02◦38'35"E, along the West line of said Section 5, 1568.71 feet; thence East, leaving said West line of Section 5, 1776.18 feet to a set ½ " rebar on the Easterly right-of-way of Veterans Avenue for a point of beginning; thence N 50◦24'51"E, along said easterly right-of-way of Veterans Avenue, 393.82 feet to a set concrete nail; thence S 39◦33'58"E, leaving said Easterly right-of-way line of Veterans Avenue, 1172.52 feet to a set concrete nail on the Westerly right-of-way line of Chad Colley Boulevard; thence along said Westerly right-of-way line of Chad Colley Boulevard; the following bearings and distances; S 50◦22'23"W, 53.28 feet to a set concrete nail, 194.82 feet along the arc of a curve to the right, having a radius of 472.00 feet and a chord bearing and distance of S 62◦11'51" W, 193.44 feet to a set concrete nail, 51.53 feet along the arc of a curve to the left, having a radius of 428.00 feet and a chord bearing and distance of S 70◦34'21" W, 51.50 feet to a set concrete nail, 255.84 feet, along the arc of a curve to the right, having a radius of 200.00 feet and a chord bearing and distance of N 76◦13'49"W, 238.75 feet to a set ½" rebar on the northerly right-of-way line of Roberts Boulevard; thence along said northerly right-of-way line of Roberts Boulevard the following bearings and distances: N 39◦35'01"W, 18.68 feet to a set ½" rebar, N 50◦25'57"E, 9.76 feet to a set ½" rebar, N 39◦33'58"W, 875.08 feet to a

set ½" rebar, 47.11 feet along the arc of a curve to the right, having a radius of 30.00 feet and a chord bearing and distance of N 05◦25'26"E, 42.42 feet to the point of beginning, containing 11.000 acres, more or less, being subject to public road rights-of-way and any easements of record, according to a survey by Anderson Surveying, Inc., P.L.S. #1272, Job #13-03-13.

more commonly known as 7300 Chad Colley Boulevard, should be, and is hereby rezoned from Unzoned to Industrial Light (I-1) by Classification.

The zoning map of the City of Fort Smith is hereby amended to reflect said rezoning.

PASSED AND APPROVED THIS_____DAY OF _____, 2013.

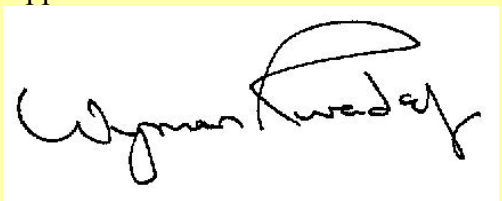
ATTEST:

_____
City Clerk

APPROVED:

_____
Mayor

Approved as to form:



_____
Publish One Time

Memorandum

To: Ray Gosack, City Administrator

Jeff Dingman, Deputy City Administrator

From: Wally Bailey, Director of Development Services

Date: 5/2/2013

Re: 7300 Chad Colley Boulevard

The subject rezoning request will be on the May 7th, Board of Directors agenda. This rezoning is for the new Phoenix Metals facility that was recently announced for construction at Chaffee Crossing. Since the Planning Commission meeting the FCRA Design Review Committee has also approved the development plan for the subject development.

The following information includes the report from the Planning Commission and the Planning Commission background information.

Please let me know if you have any questions or require any additional information.

April 30, 2013

Honorable Mayor and Board of Directors
City of Fort Smith, Arkansas

Re: Rezoning #4-4-13; A request by Mickle-Wagner-Coleman, agent for Fort Chaffee Redevelopment Authority, for a zone change from Unzoned to Industrial Light (I-1) by Classification located at 7300 Chad Colley Boulevard.

On April 9, 2013, the City Planning Commission held a public hearing to consider the above rezoning request.

Ms. Brenda Andrews read the staff report indicating that the purpose of this request is to allow the development of a metal processing company which processes and distributes aluminum and stainless steel.

Mr. Randy Coleman with Mickle-Wagner-Coleman was present to speak on behalf of this request.

No one was present to speak in opposition to this request.

Following a discussion by the Commission, Chairman Griffin called for the vote on the rezoning request. Motion was made by Commissioner Parks, seconded by Commissioner Howard and carried unanimously to amend this request to make approval subject to the following:

- Approval of the submitted development plan.
- Fort Chaffee Redevelopment Authority approval of the development plan is required.

Chairman Griffin then called for the vote on the rezoning request as amended. The vote was 8 in favor and 0 opposed.

The Planning Commission hereby certifies this zoning map amendment to the Board of Directors in accordance with A.C.A. 14-56-422.

Respectfully Submitted,

CITY PLANNING COMMISSION

Steve Griffin, Chairman

SG/lp

cc: File
City Administrator

623 Garrison Avenue
P.O. Box 1908
FORT SMITH, ARKANSAS 72902
(479) 784-2216
FAX (479) 784-2462

Printed on 100% Recycled Paper

Rezoning

Memo

To: City Planning Commission

From: Planning Staff

Date: March 26, 2013

Re: Rezoning #4-4-13 - A request by Mickle Wagner Coleman, agent for Fort Chaffee Redevelopment Authority, for Planning Commission consideration of a zoning change from Unzoned to Industrial Light (I-1) by classification at 7300 Chad Colley Boulevard

LOT LOCATION AND SIZE

The subject property is on the northwest corner of the intersection of Chad Colley Boulevard and Roberts Boulevard. The tract contains an approximate area of 11 acres with approximately 1200 feet of street frontage along Roberts Boulevard and approximately 500 feet of street frontage along Chad Colley Boulevard and Veterans Avenue.

EXISTING ZONING

The existing zoning on this tract is unzoned.

REQUESTED ZONING

The requested zoning on this tract is Industrial Light (I-1).

Characteristics of this zone are as follows:

Purpose:

To provide for a mixture of light manufacturing, office park, research and development, and limited retail/service retail land uses in an attractive, business park setting. The Industrial Light district may be used as a zoning buffer between mixed uses, commercial uses and heavier industrial uses. The I-1 zoning district is appropriate with the Office, Research, and Light Industrial (ORLI) and Industry classifications of the Master Land Use Plan.

Permitted Uses:

Auto and boat related businesses, a wide variety of retail businesses, indoor flea market, pawnshop, financial services, offices, bar or tavern, restaurant, animal and pet services, manufacturing and commercial communication towers are examples of permitted uses.

6A

Conditional Uses:

Homeless shelter, truck stop, outdoor flea market, beer garden, restaurant with outdoor dining, pet cemetery, animal food processing, petroleum distribution facility, bus station, recycling center, sports complex, educational facilities and police station are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 20,000 square feet (1+1)

Maximum Height - 45 feet

Maximum Lot Coverage - 75%

Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 2 acres
Existing District (By Extension) – 20,000 square feet

Minimum Lot Width – 100 feet
Front Yard Setback - 25 feet
Side Yard on Street Side of Corner Lot - 15 feet
Side Yard Setback – 10 feet
Rear Yard Setback - 10 feet
Side/Rear (adjoining SF Residential District/Development) – 100 feet (may be reduced to 60 feet with Planning Commission approval of screening and/or landscaping through the Development Plan approval process)
Minimum building separation – to be determined by current City building and fire code.
Required street access – Major Arterial or higher

SURROUNDING ZONING AND LAND USE

The area to the north is not zoned and is undeveloped.

The area to the south is not zoned and is undeveloped.

The areas to the east are not zoned and are developed as a warehouse.

The areas to the west are not zoned and are developed as warehouses.

MASTER STREET PLAN CLASSIFICATION

The Fort Smith Master Street Plan classifies Chad Colley Boulevard and Roberts Boulevard as a Boulevard and Veterans Avenue as a local road.

LAND USE PLAN COMPLIANCE

On March 21, 2013, the Fort Chaffee Redevelopment Authority amended the Chaffee Crossing Future Land Use Plan on this site from *Mixed Use: Residential/Commercial/Office* to *Mixed Use: Industrial/Office*. This land use classification is appropriate for the proposed Industrial Light (I-1) zoning district.

6B

PROPOSED ZONING

The proposed Industrial Light (I-1) zone and Development Plan, if approved, will allow the development of a metal processing company at 7300 Chad Colley Boulevard. The company processes and distributes aluminum and stainless steel.

STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends approval of the zoning request with the following comments:

1. Planning Commission approval of the companion development application.
2. Approval shall be based on the submitted development plan and any Planning Commission changes.

6C

Rez. #4-4-13

PETITION FOR CHANGE IN ZONING MAP

Before the Planning Commission of the City of Fort Smith, Arkansas

The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas, pursuant to Ordinance No. 3391 and Arkansas Statutes (1974) 19-2830, representing to the Planning Commission as follows:

1. The applicant is the owner or the agent for the owner(s) of real estate situated in the City of Fort Smith, Sebastian County, Arkansas, described as follows: (Insert legal description)

See Attached

2. Address of property: 7300 Chad Colley Boulevard

3. The above described property is now zoned: Unzoned

4. Application is hereby made to change the zoning classification of the above described property to I-1 (Industrial Light) by classification.
(Extension or classification)

5. Why is the zoning change requested?

Unzoned

6. Submit any proposed development plans that might help explain the reason for the request.

Signed:

Mickle Wagner Coleman, Inc.
~~Owner~~ or Agent Name
(please print)

Owner .

P.O. Box 1507, Ft. Smith, AR. 72902
~~Owner~~ or Agent Mailing Address

or

Randall Coleman
Agent

479-649-8484
~~Owner~~ or Agent Phone Number

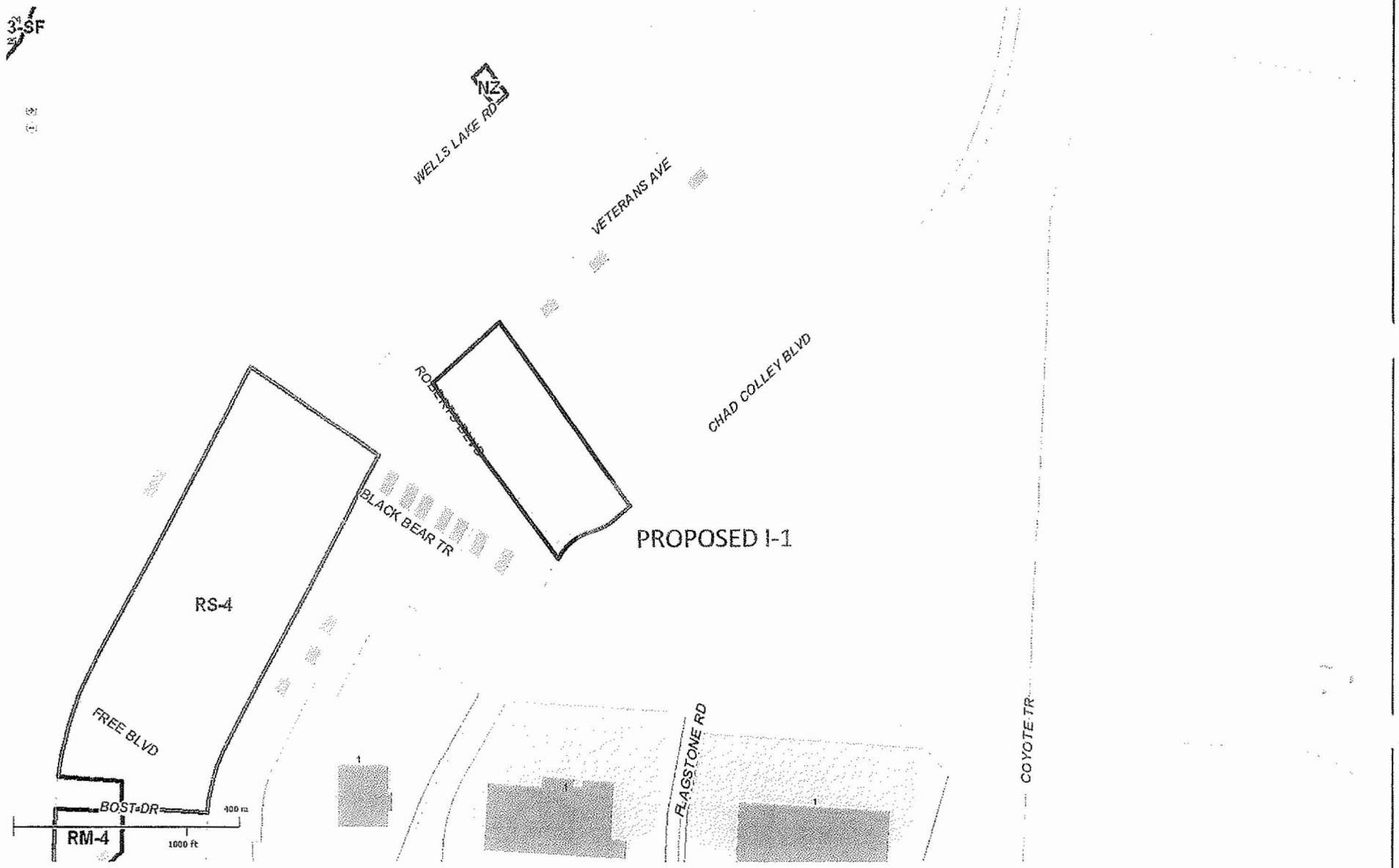
6 D

SURVEY DESCRIPTION:
PART OF THE EAST HALF (E ½) OF THE SOUTHWEST QUARTER (SW ¼) AND PART OF THE WEST HALF (W ½) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 5, TOWNSHIP 7 NORTH, RANGE 31 WEST, CITY OF FORT SMITH, SEBASTIAN COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A SET ½" REBAR MARKING THE SOUTHWEST CORNER OF SAID SECTION 5, PER AHTD RIGHT-OF-WAY PLANS; THENCE N02°38'35"E, ALONG THE WEST LINE OF SAID SECTION 5, 1568.71 FEET; THENCE EAST, LEAVING SAID WEST LINE OF SECTION 5, 1776.18 FEET TO A SET ½" REBAR ON THE EASTERLY RIGHT-OF-WAY OF VETERANS AVENUE FOR A POINT OF BEGINNING; THENCE N50°24'51"E, ALONG SAID EASTERLY RIGHT-OF-WAY OF VETERANS AVENUE, 393.82 FEET TO A SET CONCRETE NAIL; THENCE S39°33'58"E, LEAVING SAID EASTERLY RIGHT-OF-WAY LINE OF VETERANS AVENUE, 1172.52 FEET TO A SET CONCRETE NAIL ON THE WESTERLY RIGHT-OF-WAY LINE OF CHAD COLLEY BOULEVARD; THENCE, ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF CHAD COLLEY BOULEVARD, THE FOLLOWING BEARINGS AND DISTANCES: S50°22'23"W 53.28 FEET TO A SET CONCRETE NAIL, 194.82 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 472.00 FEET AND A CHORD BEARING AND DISTANCE OF S62°11'51"W 193.44 FEET TO A SET CONCRETE NAIL, 51.53 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 428.00 FEET AND A CHORD BEARING AND DISTANCE OF S70°34'21"W 51.50 FEET TO A SET CONCRETE NAIL, 255.84 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 200.00 FEET AND A CHORD BEARING AND DISTANCE OF N76°13'49"W 238.75 FEET TO A SET ½" REBAR ON THE NORTHERLY RIGHT-OF-WAY LINE OF ROBERTS BOULEVARD; THENCE, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF ROBERTS BOULEVARD, THE FOLLOWING BEARINGS AND DISTANCES: N39°35'01"W 18.68 FEET TO A SET ½" REBAR, N50°25'57"E 9.76 FEET TO A SET ½" REBAR, N39°33'58"W 875.08 FEET TO A SET ½" REBAR, 47.11 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET AND A CHORD BEARING AND DISTANCE OF N05°25'26"E 42.42 FEET TO THE POINT OF BEGINNING, CONTAINING 11.000 ACRES, MORE OR LESS, BEING SUBJECT TO PUBLIC ROAD RIGHTS-OF-WAY AND ANY EASEMENTS OF RECORD, ACCORDING TO A SURVEY BY ANDERSON SURVEYING INC., P.L.S. #1272, JOB #13-03-13.

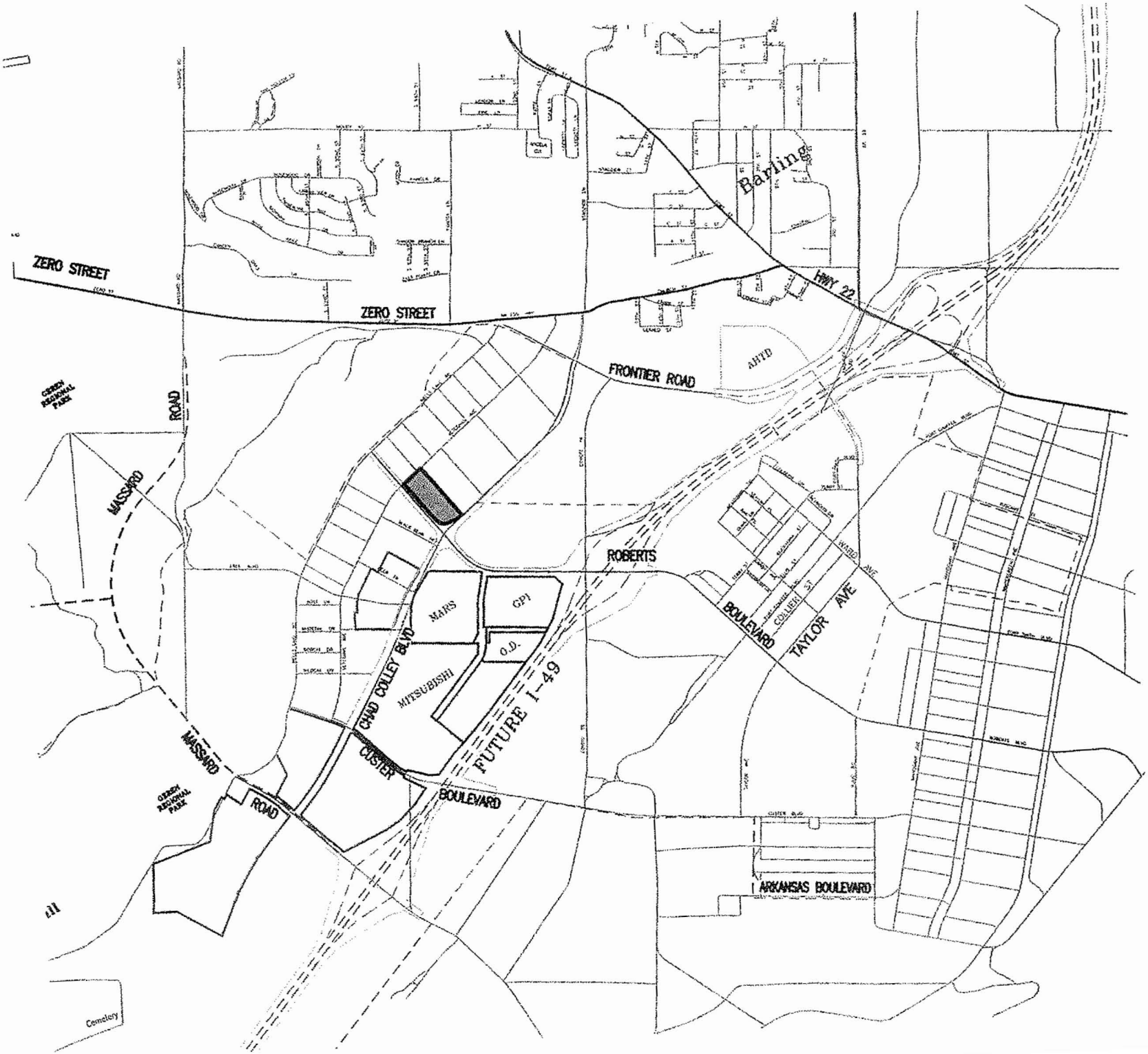
Rezoning #4-4-13: From Not Zoned to Industrial Light (I-1)

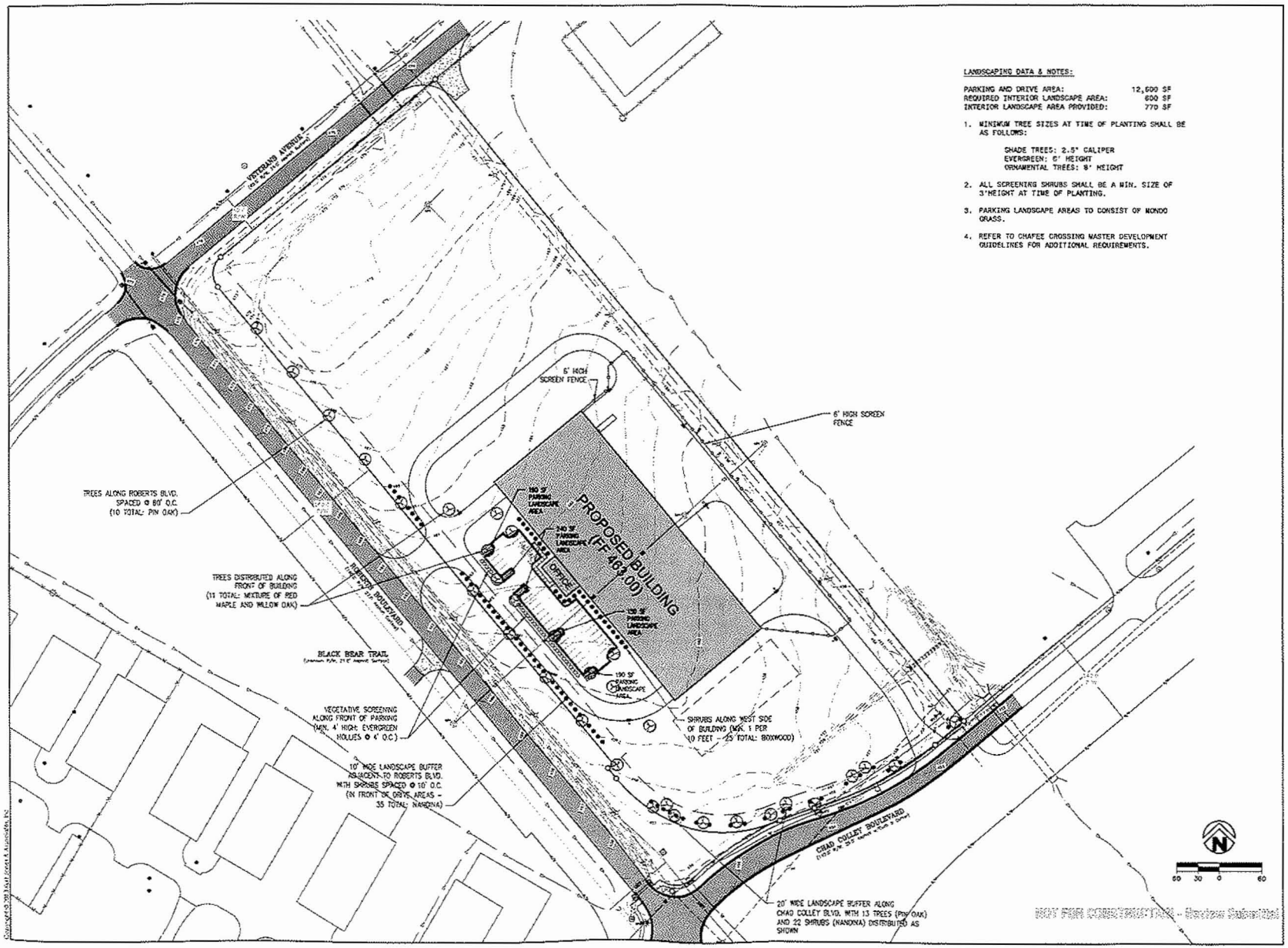
7300 Chad Colley Boulevard



Zoning Map

Project Van Horn


ZERO STREET
ZERO STREET
HWY 22
Barling
FRONTIER ROAD
AHTD
GERSH REGIONAL PARK
MASSARD ROAD
ROBERTS
MARS
GPI
O.J.
MITSUBISHI
CHAD COLLEY BLVD
FUTURE I-49
TAYLOR AVE
WARD AVE
COLLEGE ST
BOULEVARD
CUSTER
BOULEVARD
MASSARD ROAD
GERSH REGIONAL PARK
ARKANSAS BOULEVARD
Cemetery



Revisions:

Phoenix Metals

Fort Smith, Arkansas

Kurt Jones Engineering
303 West 6 Street / P.O. Box 11120
Russellville, Arkansas 72812-1120
479 890 7613 / fax: 479.890.9578
www.kurtjones.net

CIVIL ENGINEERS

LANDSCAPING PLAN

Drawn By:	Job Number:
KJJ	013-05
Date:	Sheet Number:
4/16/13	C3

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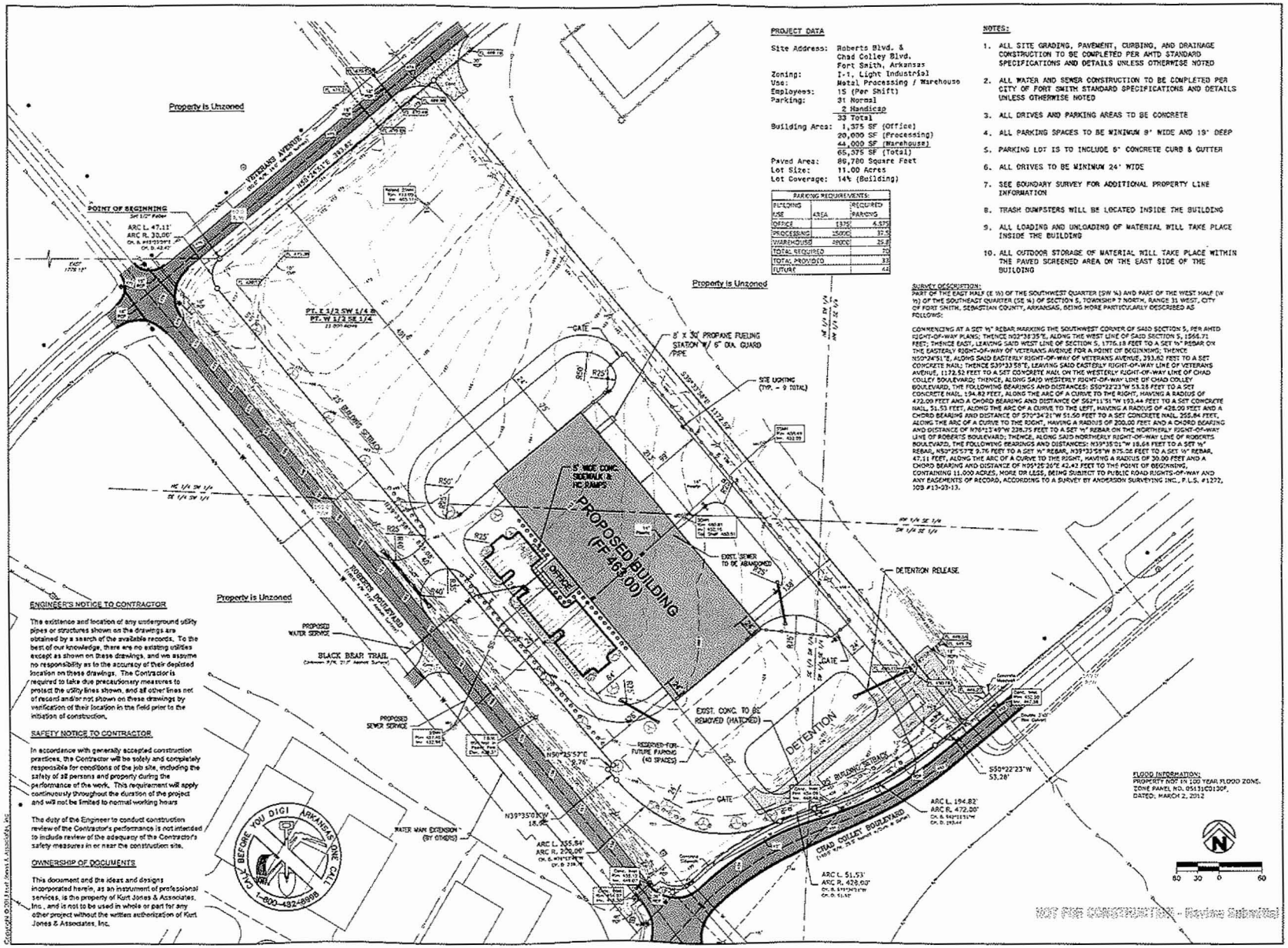


Revisions:

Phoenix Metals

Fort Smith, Arkansas

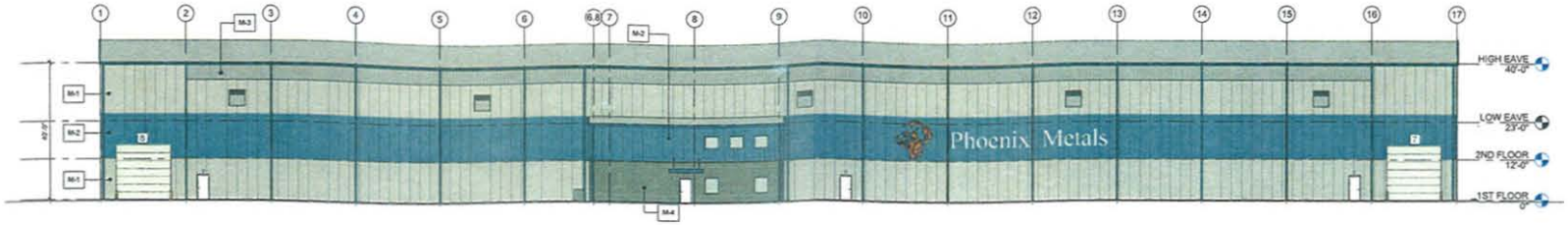
Kurt Jones Engineering
308 West B Street / P.O. Box 11120
Russellville, Arkansas 72812-1120
479.890.9613 / fax 479.890.9573
www.kurtjones.net

CIVIL ENGINEERS

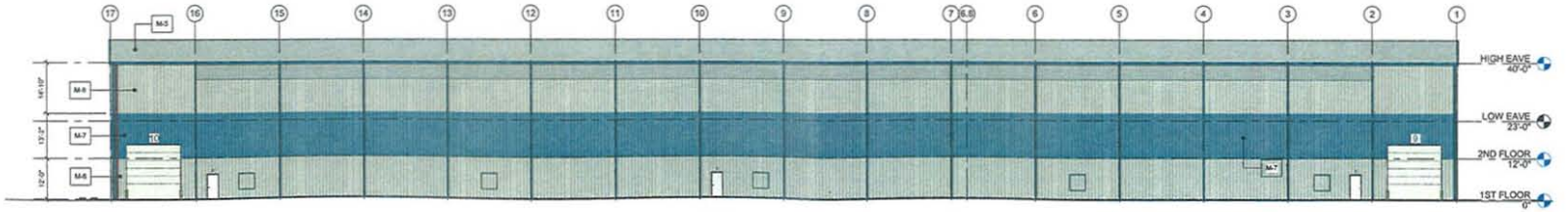
SITE PLAN

Drawn By	Job Number
KJJ	013-05
Date	Sheet Number
4/18/13	C1

MATERIAL SCHEDULE				
MARK	DESCRIPTION	MANUF	MODEL	COLOR
M-1	INSULATED WALL PANEL	NUCOR	ADOBETEXTURE HEAG-A	PEARL GREY
M-2	INSULATED WALL PANEL	NUCOR	ADOBETEXTURE HEAG-A	AZTEC BLUE
M-3	TRANSLUCENT PANEL			
M-4	SPLIT FACE CMU			GREY
M-5	METAL R PANEL ROOFING			GALVALUME
M-6	DECORATIVE ACCENT PANEL			PEARL GRLY
M-7	DECORATIVE ACCENT PANEL			AZTEC BLUE



1 FRONT ELEVATION
1/16" = 1'-0"



2 BACK ELEVATION
1/16" = 1'-0"

VAN HORN ENGINEERING, INC.
Commercial - Industrial
John Van Horn, Jr., President
10820 Bear Creek Lane • Dardanelle, AR 72834
479.880.6551 • jvh@vheg.com

NEW BUILDING FOR
PHOENIX METALS
FORT SMITH, ARKANSAS

THIS DRAWING IS PRELIMINARY AND IS NOT TO BE USED FOR CONSTRUCTION

PRELIMINARY SET

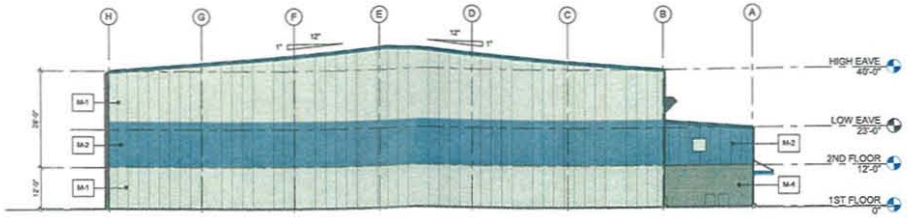
PROJECT NUMBER: CC-23-1301
ISSUE DATE: 4/15/13
REVISION DATE:

REVISIONS		
NO	DATE	BY

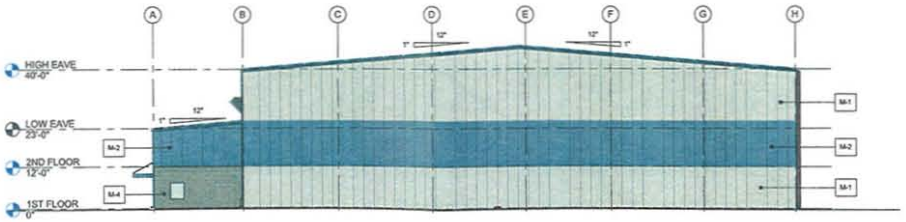
EXTERIOR ELEVATIONS

A2.1

MATERIAL SCHEDULE				
MARK	DESCRIPTION	MANUF	MODEL	COLOR
M-1	INSULATED WALL PANEL	NUCOR	ADOBETEXTURE HE40-A	PEARL GREY
M-2	INSULATED WALL PANEL	NUCOR	ADOBETEXTURE HE40-A	AZTEC BLUE
M-3	TRANSLUCENT PANEL			
M-4	SPLIT FACE CMU			GREY
M-5	METAL R PANEL ROOFING			GALVALUME
M-6	DECORATIVE ACCENT PANEL			PEARL GREY
M-7	DECORATIVE ACCENT PANEL			AZTEC BLUE



1 LEFT ELEVATION
1/16" = 1'-0"



2 RIGHT ELEVATION
1/16" = 1'-0"

VAN HORN ENGINEERING, INC.
Commercial - Industrial
John Van Horn, Jr., President
10820 Bear Creek Lane • Dardanelle, AR 72834
479.880.6551 jvhlhvelgo.com

NEW BUILDING FOR PHOENIX METALS
FORT SMITH, ARKANSAS

THIS DRAWING IS PRELIMINARY AND IS NOT TO BE USED FOR CONSTRUCTION

PRELIMINARY SET

PROJECT NUMBER: CC-23-1301
ISSUE DATE: 4/15/13
REVISION DATE:

REVISIONS

NO.	DATE	BY

EXTERIOR ELEVATIONS

A2.2

Fort Chaffee Redevelopment Authority
7020 Taylor Avenue
Fort Smith, AR 72916

BDC Properties, LLC
1122 South 23rd Street
Fort Smith, AR 72901

Richard & Rebecca Brown
2604 Butler Street
Central City, AR 72941

Mars Petcare, US, Inc.
315 Cool Springs Blvd.
Franklin, TN 37067

5. **A request by Cary Smallwood, agent for Cancer Support House, for development plan approval for a multi-family development located at 1412 South 34th Street. (companion item to items #3 & #4) (tabled from March)**

   Chairman Griffin called for the vote on the development plan. The vote was 1 in favor (Howard), 6 opposed and 1 abstention (Cox).

6. **Rezoning #4-4-13; A request by Mickle-Wagner-Coleman, agent for Fort Chaffee Redevelopment Authority, for a zone change from Unzoned to Industrial Light (I-1) by Classification located at 7300 Chad Colley Boulevard. (companion item to item #7)**

7. **A request by Mickle-Wagner-Coleman, agent for Fort Chaffee Redevelopment Authority, for development plan approval for a steel processing company located at 7300 Chad Colley Boulevard. (companion item to item #6)**

   Ms. Brenda Andrews read the staff reports indicating that the purpose of these requests is to allow the development of a metal processing company which processes and distributes aluminum and stainless steel.

   Mr. Randy Coleman of Mickle-Wagner-Coleman was present to speak on behalf of these requests.

   No one was present to speak in opposition to these requests.

   Following a discussion by the Commission, Chairman Griffin called for the vote on these requests.

6. **Rezoning #4-4-13; A request by Mickle-Wagner-Coleman, agent for Fort Chaffee Redevelopment Authority, for a zone change from Unzoned to Industrial Light (I-1) by Classification located at 7300 Chad Colley Boulevard. (companion item to item #7)**

   Chairman Griffin called for the vote on the rezoning request. Motion was made by Commissioner Parks, seconded by Commissioner Howard and carried unanimously to amend this request to make approval subject to the following:

- Approval of the submitted development plan.

- Fort Chaffee Redevelopment Authority approval of the development plan is required. It is noted that the landscaping and the exterior finish material (siding) do not comply with the Chaffee Crossing Design Guidelines.

Chairman Griffin then called for the vote on the rezoning request as amended. The vote was 8 in favor and 0 opposed.

7. **A request by Mickle-Wagner-Coleman, agent for Fort Chaffee Redevelopment Authority, for development plan approval for a steel processing company located at 7300 Chad Colley Boulevard. (companion item to item #6)**

Chairman Griffin called for the vote on the development plan. Motion was made by Commissioner Sharpe, seconded by Commissioner Parks and carried unanimously to amend this request to make approval subject to the following:

- Approval of the submitted development plan.

- Fort Chaffee Redevelopment Authority approval of the development plan is required. It is noted that the landscaping and the exterior finish material (siding) do not comply with the Chaffee Crossing Design Guidelines.

Chairman Griffin then called for the vote on the development plan as amended. The vote was 8 in favor and 0 opposed.

8. **Conditional Use #9-4-13; A request by Michael Johnson, agent for Fort Smith Public Schools, for an amendment to a conditional use approved on January 8, 2013, for a classroom/administration addition to Woods Elementary School located at 3201 Massad Road. (companion item to item #10)**

10. **Variance #14-4-13; A request by Michael Johnson, agent for Fort Smith Public Schools, for a variance from 200 feet to 45 feet and 125 feet driveway separation located at 3201 Massard Road. (companion item to item #8)**

Ms. Brenda Andrews read the staff reports indicating that the purpose of these requests is to allow for the amendment for the conditional use approved on January 18, 2013. Ms. Andrews stated that the only change to the development plan is a request for a variance to

3.

ORDINANCE NO._____

AN ORDINANCE AMENDING THE 2009 UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF FORT SMITH

WHEREAS, the Board of Directors passed and approved Ordinance No. 36-09 which adopted the Unified Development Ordinance on May 19, 2009; and,

WHEREAS, it is necessary to amend certain sections of the Unified Development Ordinance to provide clarity and remove conflicts with other provisions of the municipal code; and,

WHEREAS, the Planning Commission held a public hearing regarding these amendments and recommended on April 9, 2013, that said changes be made; and,

WHEREAS, three (3) copies of May 2013 Amendments to the Unified Development Ordinance have been on file in the Office of the City Clerk of the City of Fort Smith for inspection and review by the public prior to the passage of this Ordinance; and,

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH THAT:

SECTION 1: The May 2013 Amendments to the Unified Development Ordinance Appendix A are hereby adopted.

SECTION 2: The codifier shall codify the new sections and amend the existing sections of the Unified Development Ordinance.

SECTION 3: It is hereby found and determined that the adoption of these amendments to the Unified Development Ordinance is necessary to alleviate an emergency created by the lack

of regulation of uses of property within the City of Fort Smith so that the protection of the health, safety and welfare of the inhabitants of the City requires that the amendments be effective, and the amendment is hereby made effective, as of the date of approval of this Ordinance.

PASSED AND APPROVED THIS_____DAY OF _____, 2013.

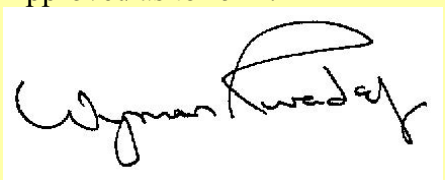
APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

Approved as to form:



_____
Publish One Time

MEMORANDUM

To: Ray Gosack, City Administrator
From: Wally Bailey, Director of Development Services
Date: April 15, 2012
Subject: Planned Zoning Districts

The Unified Development Ordinance (UDO) currently provides for three (3) methods to apply for a rezoning of property. The current methods include (1) conventional rezoning with a development plan (2) conventional rezoning with a deferral of a development plan and (3) a planned development district.

The preferred or requested method by staff and planning commission has been a rezoning with a development plan. With the sensitivity and controversy of most rezonings, details of a proposed development are needed to justify the rezoning application. The UDO requries a thorough and detailed development plan be submitted. which requires many design decisions be made early in the process.

Some developers have expressed concerns about the requirement to submit such a detailed development plan for the conventional or planned development district. This was especially problematic on larger developments such as subdivisions, projects with multiple phases or annexations.

The PZD process allows a developer to propose a hybrid zoning district for a development that may not fit well into one of our existing zoning districts. A PZD cannot include any design requirements or development standards less than those found in the UDO.

The PZD does not replace any of the current rezoning methods. It is merely another process or tool by which a developer or property owner could secure a rezoning.

After some research, we found other communities in Arkansas and the region have an additional rezoning method known as a planned zoning district (PZD). This rezoning method provides a little more flexibility by permitting a rezoning application to be submitted without significant expense of a completely detailed development plan.

In lieu of a thorough and detailed development plan, the PZD requires a project booklet describing the many facets of the proposed rezoning and the development project. While the project booklet can contain some thorough and detailed information it can also include conceptual information that helps describe the project.

The Planning Commission and Board of Directors have the option of approving, amending or denying the application. In some cases, the Planning Commission or Board of Directors may need to request more specific or detailed information with the individual application.

The project booklet becomes an integral part of the property rezoning. All development that occurs following a PZD rezoning approval must comply with the details of the project booklet. Developments that do not comply with the PZD project booklet may require an amended application to be approved by the Planning Commission and Board of Directors.

The proposed amendment to the UDO (*which is enclosed*) includes sections regarding the submittal requirements, the review process, factors to be considered, possible actions by the Planning Commission and Board of Directors, and amendments to the project booklet/plan.

The Planning Commission held several work sessions on this subject with members of the development community invited to each meeting. Participation was good with the development of the proposed PZD amendment.

The Planning Commission voted 8-0 to recommend the amendment to the Board of Directors for adoption. Fort Smith Municipal Code requires the proposed amendment be placed on the Board of Directors May 7, 2013, agenda.

Please contact me if you have any questions.

April 30, 2013

Honorable Mayor and Board of Directors
City of Fort Smith, Arkansas

Re: Unified Development Ordinance Amendments

On April 9, 2013, the City Planning Commission held a public hearing to consider the above rezoning request.

Mr. Wally Bailey noted that these amendments are to the Planned Zoning District (PZD) and reflects the proposed code amendment changes that were suggested at the March 18, 2013, Planning Commission work session.

No one was present to speak on behalf or in opposition to these proposed amendments.

Chairman Griffin then called for the vote on the amendments to the Unified Development Ordinance. The vote was 8 in favor and 0 opposed.

Respectfully Submitted,

CITY PLANNING COMMISSION

Steve Griffin, Chairman

SG/lp

cc: File
City Administrator

623 Garrison Avenue
P.O. Box 1908
FORT SMITH, ARKANSAS 72902
(479) 784-2216
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MAY 2013
AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE

27-3 Planned Zoning District

27-3__-1 Purpose

A. The process is deemed necessary to assure control of certain development while providing the applicant a means of gaining commitment without undue financial risk. Specifically, the purposes of this article are to encourage:

1. Comprehensive and innovative planning and design of diversified yet harmonious development consistent with the comprehensive plan;

2. Better utilization of sites characterized by special features of geographic location, topography, size, or shape;

3. Flexible administration of general performance standards and development guidelines;

4. Primary emphasis shall be placed upon achieving compatibility between the proposed development and surrounding areas to preserve and enhance the neighborhood through the use of enhanced site design, architecture, landscaping, and signage.

5. Developments that utilize design standards greater than the minimum required by the UDO.

27-3__-2 Submission Requirements.

The director shall prepare an application form which specifies the information to be submitted in support of a planned zoning district. This shall include at a minimum:

1. Pre-application conference is required pursuant to Section 27-302.

2. Application Fee

3. A project booklet, submitted graphically and in narrative form, addressing as many items as applicable. In no instance shall the design requirements and development standards be less than those found in Chapters 27-200, 27-500, 27-600, and 27-700.

    a. Reason (need) for requesting the zoning change and response to how the proposal fulfills the intent/purpose of the Planned Zoning District.

b. Current ownership information (landowner/applicant and representative of applicable) and any proposed or pending property sales.
c. Comprehensive description of the scope, nature, and intent of the proposal.
d. General project concept:
    i. Street and Lot Layout
    ii. Site plan showing proposed improvements
    iii. Buffer areas, screening, and landscaping
    iv. Storm water detention areas and drainage
    v. Undisturbed natural areas
    vi. Existing and proposed utility connections and extensions
    vii. Development and architectural design standards
    viii. Building elevations
    ix. Proposed signage (type and size)
e. Proposed development phasing and time frame
f. Identify land use designations.
g. Identify area and bulk regulations.
h. A chart comparing the proposed planned zoning district to the current zoning district requirements (land uses, setbacks, density, height, intensity, bulk and area regulations, etc.)
i. A chart comparing the proposed land uses and the zoning district(s) where such land uses are permitted.
j. A chart articulating how the project exceeds the UDO requirements (ex. increased landscaping, increased high quality materials on the façade, etc.).
k. Statement of how the development will relate to existing and surrounding properties in terms of land use, traffic, appearance, height, and signage.
l. A traffic study when required by the Engineering Department (consult with staff prior to submittal)
m. Statement of availability of water and sewer (state size of lines).

27-3__-4 Application and Review Procedures

A. Determination of Completeness. Applications shall be submitted to the Director for a determination of completeness pursuant to Section 27-303. An application is complete when all of the items required by the Unified Development Ordinance and on the application form are prepared and/or answered, and any required supplemental or additional applications (e.g., Comprehensive Plan Amendment) are submitted with the appropriate fee to the Planning and Zoning Department.

B. **Neighborhood Meeting**. The applicant shall comply with the requirements for a neighborhood meeting pursuant to Section 27-304.

C. **Staff Review**. Following a determination of completeness, the Staff shall review the application pursuant to Section 27-305.

D. **Notice and Public Hearing**. Following completion of Staff review and such neighborhood meetings as are required, the application shall be scheduled for a public hearing before the Planning Commission.

1. Notice shall be provided, published, mailed and posted pursuant to Section 27-308.

2. The Planning Commission may recommend a change in a zoning district category which constitutes a more restrictive change than requested by the applicant.

E. **Factors to be Considered.**

1. Rezoning Application -- Approval, approval as amended, or denial of the rezoning application shall be based upon consideration of the following factors:
    a. Compatibility with the Comprehensive Plan, Master Land Use Plan, Master Street Plan, and applicable area plans (e.g., corridor, neighborhood).

    b. Compatibility of the proposed development with the character of the neighborhood.

    c. The zoning and uses of adjacent and nearby properties, and the compatibility of the proposed future uses with those existing uses.

    d. The extent to which the proposed land use would increase or change traffic volume or parking demand in documented evidence or engineering data, road conditions, road safety, or create parking problems in combination with any improvements that would mitigate these adverse impacts.

    e. The current availability of public utilities and services and the future capacity needed to adequately serve the proposed land use in combination with any improvements that would mitigate these adverse impacts.

    f. That the application complies with all relevant ordinance requirements (for example 27-200, 27-500, 27-600, and 27-700).

2. Project Booklet -- The following criteria shall be considered when reviewing the project booklet:

    a. Is the site capable of accommodating the building(s), parking areas and drives with the appropriate open space provided?

    b. Does the plan provide for safe and easy ingress, egress and internal traffic circulation?

    c. Is the plan consistent with good land use planning and site engineering design principles, particularly with respect to safety;

    d. Are the architectural designs consistent with the City of Fort Smith policies and regulations and compatible with surrounding land use features;

    e. Does the Plan represent an overall development pattern that is consistent with the Comprehensive Plan, Master Street Plan, Master Land Use Plan, and other adopted planning policies;

    f. The required right-of-way dedication has been identified by the City Engineering Department.

    g. All easements and utilities shall meet the requirements of the approving departments and agencies.

    h. Articulate how the plan minimizes or mitigates the impact of increased traffic both in volume and vehicle size.

    i. Articulate how the plan exceeds the UDO requirements. (ex. increased landscaping, increased high quality materials, etc.)

F. Planning Commission Action. Following the public hearing, the Planning Commission may recommend approval, approval as amended, or denial. The Planning Commission may also continue the application to a date certain.

1. The Planning Commission shall certify recommendations of approval or approval as amended to the Board of Directors for further procedure in conformity with A.C.A. tit. 14, ch. 56, subch. 4[§ 14-56-401 et. seq.]

    The Planning Commission may impose a time limit for the development as described in the project booklet.

2. The Planning Commission's certified recommendations shall be automatically placed on the agenda of the Board of Director's second regularly scheduled meeting of the month following action by the Planning Commission.

G. Appeal. Appeals from the decisions of the Planning Commission shall be as follows:

1. If the Planning Commission denies a rezoning request or project booklet so that no recommended action has been certified to the Board of Directors, the applicant shall have the right to file a request for review of the Planning Commission's decision with the Board of Directors.

2. The request for review shall be initiated in the following manner or be considered waived:

    a. Filing a written notice of such appeal with the office of the City Clerk, or the Clerk's designated agent, during normal business hours.

    b. Filed on or before the tenth calendar day following the Planning Commission meeting at which the proposed rezoning and/or preliminary plan hearing was held, or following the date on which the Planning Commission handed down its decision of non-recommendation, if the date of decision differs from the date of hearing. Notice of review of such decisions to the Board of Directors shall be provided to those persons who were provided postal notice of the original application. When filing the notice of appeal, the applicant shall pay the sum established by the Board of Directors to cover the cost of providing such legal notice.

3. The review shall take place at the second regularly scheduled meeting of the Board of Directors, following the request for review deadline. After the filing of a notice of review, the request may not be withdrawn or the hearing date postponed without the approval of the Board of Directors.

4. If the Board of Directors denies the application the applicant shall not be permitted to reapply for the same or substantially same request for a period of one (1) calendar year from the date of action by the Board.

H. Action by the Board of Directors. When the Planning Commission certifies a proposed rezoning to the Board of Directors, the Board shall consider the criteria established in Section 27-330-6(E) and may take any action consistent with Sections 27-310 and 27-311, including:

1. Approve the application and preliminary plan;
2. Approve as amended the application and/or preliminary plan. The Board of Directors may impose a time limit for the development as described in the project booklet; or
3. Deny the application and preliminary plan.

4. Where there is new, material evidence presented at the Board of Directors meeting that was not available to the Planning Commission, the Board shall return the application and preliminary plan to the Planning Commission for reconsideration based on the new evidence.

I. **Appeal**. Appeal of the Board of Director's determination may be made to a court of record having jurisdiction.

J. **Re-application**. If the Board of Directors denies a proposed preliminary development plan or rezoning application certified to it with the Planning Commission's approval, the applicant shall not be permitted to re-apply for the same or substantially similar request for a period of six (6) months from the date of the action. No such rejected proposal shall be re-submitted, even after the expiration of six months for the consideration of the Board of Directors until it has been resubmitted first to the Planning Commission for consideration.

K. **Determination of Re-application**. The Director shall determine whether a re-filed application for rezoning meets the requirements of these provisions and whether the new application is the same or substantially similar to the previous application. The Director may consult with other departments, the Planning Commission, or the Board of Directors in making this determination. Appeals of the Director's determination decision may be made to the Planning Commission.

27-3__-5 Amendments to the Planned Zoning District Plans

Once a PZD has been approved, significant changes may be made only after approval of a revised PZD. This requires re-submittal of the application through the same procedural requirements of the original application. Changes that are not considered significant pursuant to Section 27-3__-5(a) may be approved at the Director's discretion. Disapproval of the changes may be appealed to the Planning Commission.

A. **Criteria.** For the purposes of this section, significant changes shall be determined by the Director. Significant changes shall mean any of the following, provided they are still within the approved standards of the applicable zoning district.

1. Increases in density or intensity of residential uses by more than 5%;

2. Increases in total floor area (entire plan) of all non-residential buildings by more than 5% or 5000 square feet, whichever is less;

3. Increases of lot coverage by more than 5%;

4. Changes to the architectural style that shall make the project inconsistent with previous approvals;

5. Changes in ownership patterns or stages of construction that shall lead to a different development concept;

6. Changes in ownership patterns or stages of construction that shall impose substantially greater volumes on streets and load capacities on public facilities;

7. Decrease of more than 5% in areas devoted to open space or the substantial relocation of such areas;

8. Changes in traffic circulation patterns that will affect traffic outside of the project boundaries;

9. Modification or removal of conditions and stipulations to the planned zoning district approval; or

10. Modifications that change, amend, or violate the terms of the Comprehensive Plan.

B. **Approval.** Any changes that seek to vary the standards of the applicable district and cannot be approved through paragraph (A) above must either be approved by the Planning Commission through a Planned Zoning District rezoning application or through a variance request to the Board of Zoning Adjustment.

C. **Appeal.** Appeal of the Director's determination of whether changes are significant may be taken to the Planning Commission, whose decision shall be final. No further action shall be taken to process the application pending the Planning Commission's determination.

D. **Home Occupation #3-4-13; A request by Neecol & Nicholas Carbonia for an etching and awards and promotional management business located at 1208 North 41st Street.**

E. **Home Occupation #4-4-13; A request by Carlos Barrientos for a lawn and tree service business located at 3625 Park Avenue.**

Chairman Griffin called for the vote on the consent agenda. Motion was made by Commissioner Howard, seconded by Commissioner Parks and carried unanimously to amend these requests to make approval subject to all staff comments and recommendations. Chairman Griffin then called for the vote on the consent agenda as amended. The vote was 8 in favor and 0 opposed.

2. **Unified Development Ordinance Amendments**

Mr. Wally Bailey read the staff report. Mr. Bailey noted that these amendments are to the Planned Zoning District (PZD) and reflects the proposed code amendment changes that were suggested at the March 18, 2013, Planning Commission work session.

There was no one present to speak on behalf or in opposition to these proposed amendments.

Chairman Griffin then called for the vote on the UDO amendments. The vote was 8 in favor and 0 opposed.

3. **A request by Cary Smallwood, agent for Cancer Support House, for a Master Land Use Plan Amendment from Residential Detached to Residential Attached located at 1412 South 34th Street. (companion item to items #4 & #5) (tabled from March)**

4. **Rezoning #3-3-13; A request by Cary Smallwood, agent for Cancer Support House, for a zone change from Transitional (T) to Residential Multi-Family Medium Density (RM-3) by Extension located at 1412 South 34th Street. (companion item to items #3 & #5)**

5. **A request by Cary Smallwood, agent for Cancer Support House, for development plan approval for a multi-family development located at 1412 South 34th Street. (companion item to items #3 & #4) (tabled from March)**

Ordinance No._____

AN ORDINANCE ESTABLISHING REGULATIONS AND CHARGES FOR RESIDENTIAL SANITATION SERVICES PROVIDED BY THE DEPARTMENT OF SANITATION OF THE CITY OF FORT SMITH

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

Section 1: The charges for residential sanitation services provided by the Department of Sanitation of the City of Fort Smith as set forth in the following sections are hereby adopted effective July 1, 2013.

Section 2: Section 3 of Ordinance No. 39-07 is hereby replaced by the rates established by this Ordinance effective July 1, 2013, and the following rates are hereby established for residential sanitation services:

(a) Residential charges:

Residential	$12.91
Citywide cleanup	$ 0.37
Total	$13.28

per month for each single family dwelling unit.

(b) Except as provided in the following sentence, residential sanitation vehicles shall not drive on private property for the purpose of picking up household waste. Existing residential customers who pay for and receive residential sanitation services from their private driveways may continue such service at a charge of

Residential private drive service	$27.48
Citywide clean up	$ 0.37
Total	$28.85

per month, provided such service from private driveways may not be transferred to another location nor to a new customer at the present location.

(c) Dial-A-Truck Service. Residential customers are entitled to pickup of bulky items free of charge no more than one time every three months. Bulky items are defined as large household items, including but not limited to, appliances, couches, tables, chairs, carpet, mattresses, lawn mowers and outdoor grills.

(d) Residential customers eligible for and participating in the Utility Assistance Program shall be charged:

Residential	$11.25
City wide cleanup	$ 0.37
Total	$11.62

per month.

(e) Residential customers participating in the Automated Refuse Collection program shall be provided one cart without additional charge. Each additional cart shall result in an additional charge of $5.00 per month.

(f) If a refuse cart(s) is damaged as a result of customer neglect or misuse (e.g., dumping hot ashes, punctures, etc.), the customer shall be charged replacement costs of $45.00 for a 65 gallon cart and $50.00 for a 95 gallon cart.

Section 3: The codifier of the Code may elect not to codify the provisions of this Ordinance because of the notice provided by Section 25-41 of the Code.

This Ordinance adopted this 7th day of May, 2013.

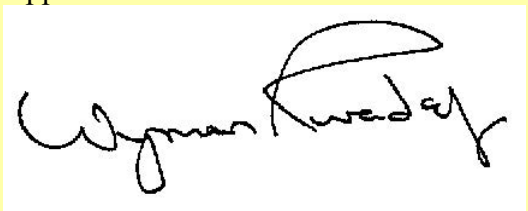
APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

Approved as to Form



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Publish One Time

Responsible Environmental Management

Fort Smith Department of Sanitation

MEMORANDUM

May 3, 2013

To: Ray Gosack, City Administrator

From: T. Baridi Nkokheli, Director

Subject: Residential Sanitation Rate Reduction

During the August 14, 2012 Study Session, department staff presented information regarding residential sanitation rates for various solid waste collection service levels, particularly citywide automation, a hybrid system, and a two tier system. Citywide automation was recommended by department staff along with the possibility of a $1.10 per month per household rate reduction. As a result of decisions made last year, automated refuse collections were expanded citywide in December 2012. The continued efficiency of our automated solid waste collection program includes our first ever, fully automated collection of residential recyclables, which was implemented on April 29, 2013.

Department staff has recently reevaluated the residential sanitation rate data. As a result of the increased efficiency of automated residential solid waste collections, which provides the ability to better manage the ever-increasing operational costs, staff recommends reducing the monthly residential rate to $13.28 (current rate of $14.38 less $1.10) per month per household. The 2013 Budget accounted for the rate decrease to go into effect on July 1, 2013.

The reduction in monthly fee is only derived as a result of the efficiencies realized since the automated program's inception in 2006. We have instituted fully automated collection of residential recyclables with future plans of automating the collection of yard waste in an effort to buffer escalating future operational costs inherent to solid waste management.

Please contact me should you have any questions regarding this report or would like additional information.

5

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 7-71 OF THE FORT SMITH MUNICIPAL CODE TO DECREASE THE NUMBER OF MEMBERS ON THE OAK CEMETERY COMMISSION

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS THAT:

Section 7-71 of the Fort Smith Municipal Code is amended to read as follows:

There is hereby created and established a commission consisting of seven (7) members to be known as the Oak Cemetery Commission.

PASSED AND APPROVED THIS _____ DAY OF MAY, 2013.

APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney
Publish 1 Time

PARKS RECREATION
FORT SMITH

Memo:

May 3, 2013

To: Ray Gosack, City Administrator
From: Mike Alsup, Parks and Recreation Director
Re: Oak Cemetery Commission membership recommendation

The Oak Cemetery Commission recommends that the membership be reduced from nine (9) members to seven (7) members. The Commission was originally formed with seven (7) members and was enlarged to nine (9) and then to eleven (11) members in an effort to provide more help with Tales of the Crypt and to have a quorum at the meetings. The additional members have not led to the anticipated results with no official business conducted at many meetings due to lack of quorum or additional help at Tales of the Crypt. Therefore, the Commission makes the recommendation to return to the original number of Commission members.

Oak Cemetery is a thirty acre facility under the perpetual care of the City of Fort Smith. The City Clerk's office maintains the records and oversees the business functions of the cemetery while the Parks Department is responsible for the maintenance of the facility. Oak Cemetery is recognized as a National Historic Landmark based on over 150 years of documented history. The City and Commission's purpose is to preserve and maintain uniformity, harmony, and beauty of the Cemetery, and to safeguard each lot or grave with sanctity, and to protect and provide for the future welfare of the Cemetery.

The Commission serves an important role in making recommendations concerning the Cemetery. Please call me if you have any questions about this matter.

6A

RESOLUTION _____

A RESOLUTION TO ACCEPT THE BIDS AND AUTHORIZE CONTRACT FOR THE CONSTRUCTION OF DALLAS STREET REPAIR / DIAMOND GRINDING PROJECT NO. 13-90-A

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The bid of Forsgren, Inc., received April 23, 2013, for the construction of Dallas Street Repair / Diamond Grinding, Project No. 13-90-A, in the amount of $230,592.75 be accepted.

SECTION 2: The Mayor is authorized to execute a contract with Forsgren, Inc., subject to the terms set forth in Section 1 above.

SECTION 3: Payment for construction authorized by Section 1 is hereby authorized from the Sales Tax Fund (1105).

This resolution adopted this _____ day of May, 2013.

APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

Approved as to Form

_____
No Publication Required

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

FROM: Stan Snodgrass, P.E., Director of Engineering

DATE: May 2, 2013

SUBJECT: Dallas Street Repair/Diamond Grinding
Project No. 13-90-A

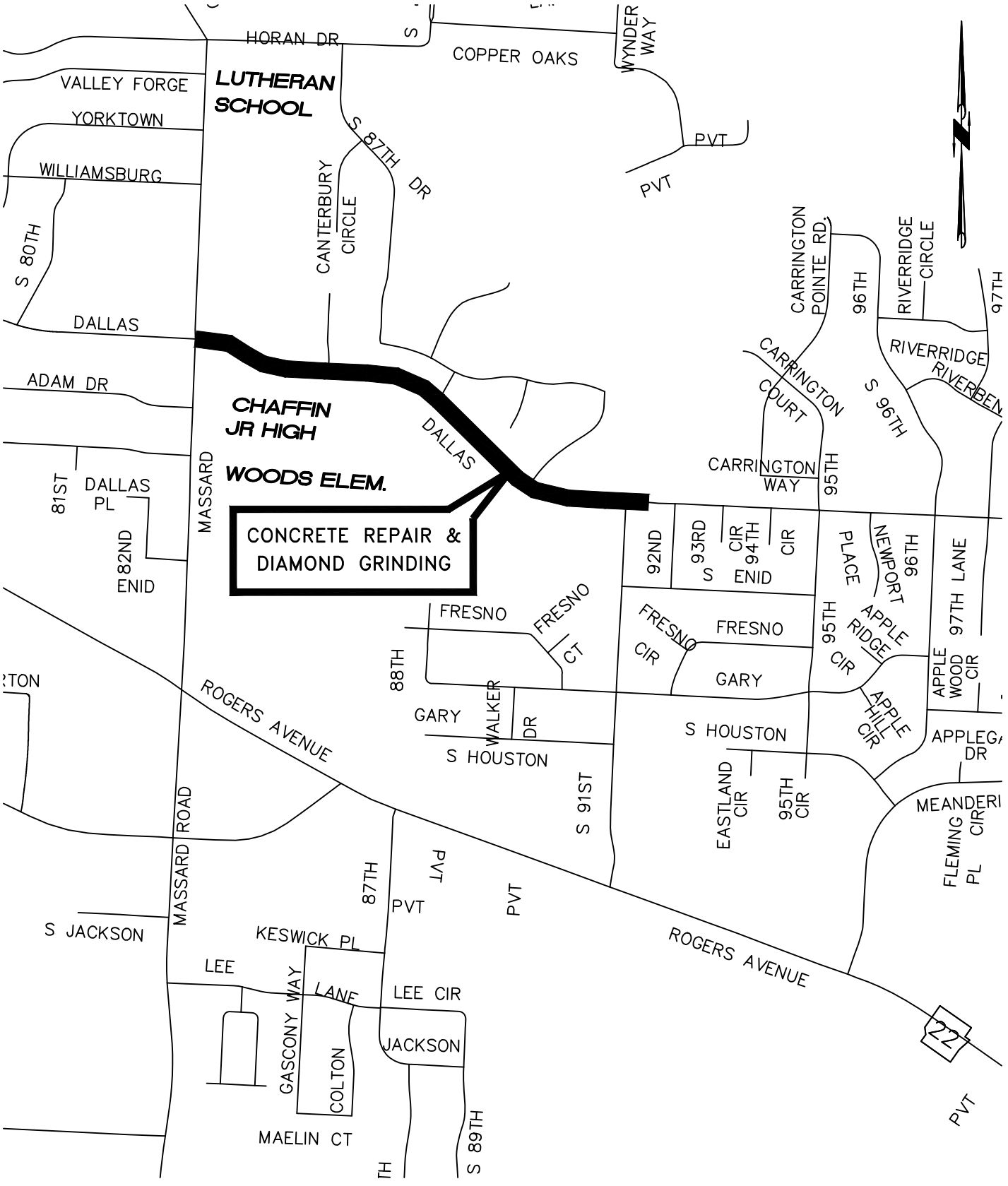
This project consists of removal and replacement of severely cracked concrete panel sections and diamond grinding of the street surface to improve the ride quality. The project limits extent approximately 3100 feet along Dallas Street from Massard Road to just east of 91st Street as shown on the attached location map.

Construction plans and specifications were prepared by Hawkins-Weir Engineers Inc. of Van Buren, Arkansas. An advertisement was published and bids were received on April 23, 2013. Nine contractors requested plans and specifications and six bids were received which are summarized as follows:

CONTRACTOR	AMOUNT	CONTRACTOR	AMOUNT
1. Forsgren, Inc. Fort Smith, AR	$230,592.75	5. Steve Beam Const. Fort Smith, AR	$406,193.00
2. TNT, Inc. Van Buren, AR	$295,190.00	6. Goodwin & Goodwin Fort Smith, AR	$412,170.00
3. Crawford Construction Van Buren, AR	$348,741.00	*Engineers' Estimate*	*$375,500.00*
4. Township Builders Little Rock, AR	$376,600.00		

I recommend that the lowest bid be accepted and that the construction contract be awarded to Forsgren, Inc. The estimated notice to proceed date for this contract is June 3, 2013. Based on the contract duration of 90 days, the estimated completion date would be August 31, 2013.

Attached is a Resolution to accomplish the above recommendation. Funds are available in the Sales Tax Program (1105).



2013 CAPITAL IMPROVEMENTS PROGRAM

DALLAS STREET

The City of Fort Smith ARKANSAS

Project:	
Date:	
Scale:	NONE
Drawn By:	RBR

G:\DRAWINGS\CIP\00-00 CIPALL\2013\ CIPALL 2013 OVERALL.DWG 05/02/13-09:41 RBR ST EX4

6B

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO
EXECUTE AN AGREEMENT FOR PROFESSIONAL SERVICES WITH
MAHG ARCHITECTURE, INC. FOR THE BELLE GROVE CENTER

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, that:

The Mayor is hereby authorized to execute an agreement for professional services with MAHG Architecture, Inc. for the Belle Grove Center for an amount not to exceed $25,225.00.

This Resolution adopted this _____ day of May, 2013.

APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

Approved as to form:

_____
No Publication Required

PARKS RECREATION
FORT SMITH

Memo:

May 3, 2013

To: Ray Gosack, City Administrator
From: Mike Alsup, Parks and Recreation Director
Re: Belle Grove Center renovation, program development phase

Belle Grove Center requires renovation before opening to the public. Statements of Qualifications were reviewed for architects to perform this work, three firms were interviewed, and MAHG was selected by the committee. The selection was based on MAHG's vision for the project both in the use and operability of the facility as well as technical expertise and experience with renovations of this type. Their vision of the usefulness of this facility to the community and its ultimate end use were the factors that most influenced this decision.

It is recommended that the programming to preliminary concept phase be approved. The programming phase is critical in understanding the anticipated uses of the building so that the renovation will reflect the uses. Until this is determined, a scope cannot be determined for further stages of the plan through construction documents. MAHG's fee proposal is an amount not to exceed $25,225. The fee includes compiling data from a questionnaire, a vision workshop and a programming work session to establish project objectives, a facility space program, and a conceptual plan to be presented at a public meeting. The Community Leadership class at the University of Arkansas, Fort Smith selected the Belle Grove Center as its project for this semester and has been working on a program for the facility. They have interviewed citizens, toured the facility, and researched programming for similar centers. It is anticipated that the class's work will be the foundation for the programming phase of planning which may reduce the final cost of the phase.

With approval of the preliminary concept, a decision can be made to proceed to construction drawings through another contract for those services. Also, with the concept in hand, seeking funding for the project can begin. It is anticipated that funding will be sought through grants, foundations, and private sources to supplement funding through the sales and use tax. The anticipated timeframe for construction on this project is more than five years away but could be accelerated with a successful campaign.

If you have questions about this contract or about the project, please call me.

6C

RESOLUTION NO. _____

RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN FORT SMITH EMS, INC., AND THE CITY OF FORT SMITH, ARKANSAS, FOR USE OF A PORTION OF THE ELM GROVE COMMUNITY CENTER

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

The Mayor is hereby authorized to execute, his signature being attested by the City Clerk, the attached Agreement between the Fort Smith EMS, Inc., and the City of Fort Smith, Arkansas, which Agreement provides for the housing of a Fort Smith EMS Unit in a portion of the Elm Grove Community Center, according to the terms of the Agreement.

This Resolution passed this _____ day of May, 2013.

APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM

_____npr

PARKS RECREATION
FORT SMITH

Memo:

May 3, 2013

To: Ray Gosack, City Administrator
From: Mike Alsup, Parks and Recreation Director
Re: Agreement with Fort Smith EMS

Fort Smith EMS asked to house and operate a unit from Elm Grove Community Center in Martin Luther King Jr. Park. This is considered a public safety enhancement for the city with a shortened response time on the north side of the City being the goal. The space requested in the Center was designed for use by the Fort Smith Police Department. The Police Department does not use this space at this time.

The initial plan is to use this space from 8:00 a.m. till 8:00 p.m. seven days per week year round with the option to add the night shift later. The Police Department's presence in the Center had a positive influence on the park and neighborhood; it is anticipated that the EMS unit will have a similar influence. The office has its own outside entrance, and a parking space will be designated for the ambulance next to the building. The unit will be plugged into an electrical outlet on the outside of the building to power the unit while not in use.

With approval of the agreement, the staff will work with EMS to move into this space. If you have questions about this agreement, please call me.

attachment

AGREEMENT BETWEEN FORT SMITH EMS, INC.
AND THE CITY OF FORT SMITH, ARKANSAS

This Agreement made and entered into this _____ day of May, 2013, by and between Fort Smith EMS, Inc., hereinafter referred to as "EMS," and the City of Fort Smith, Arkansas, hereinafter referred to as "Fort Smith."

In exchange for the mutual covenants, which the parties verify are good, valid and sufficient to support the undertakings of this Agreement, it is agreed as follows:

1. This Agreement shall be effective as of May 7, 2013.

2. In consideration of public safety enhancement, the City of Fort Smith hereby extends its permission to EMS to house and operate from Fort Smith's Elm Grove Community Center, 1901 North Greenwood Avenue, Fort Smith, an EMS unit, according to the further provisions of this Agreement.

3. The EMS Unit and all of its employees, supervisors and other personnel shall be independent contractors and shall not be considered employees or agents of the City of Fort Smith for any purpose. EMS shall be fully responsible for the employees and equipment of EMS. EMS shall be responsible for all workers' compensation and other employment benefits and responsibilities of its employees. Prior to commencement of the location of the EMS Unit at Elm Grove Community Center, EMS will provide to the Director of the Parks and Recreation Department a copy of the liability insurance policy providing liability insurance for EMS vehicles and a copy of the verification the EMS employees are provided workers' compensation coverage consistent with the laws for the State of Arkansas. EMS will be responsible for the cleaning and maintenance of all EMS equipment and supplies.

4. Although the scheduling and manning of the EMS Unit is a management decision to be made by EMS, it is contemplated by the parties that the EMS Unit will be manned by two (2) EMS employees; that it will be manned 12 hours a day, 7 days per week and 365 days per year; and that the EMS employees will work 12 hour shifts commencing at 8:00 a.m. each day. If EMS desires to add a second shift commencing at 8:00 p.m., a written request will be made to the Director of Parks and Recreation.

5. At its discretion, and subject to change at the discretion of Fort Smith, Fort Smith will provide and designate space within Elm Grove Community Center for the housing of the EMS unit and provide and designate parking space for any EMS unit vehicles. EMS will not utilize Elm Grove Community Center space or parking areas other than those designated by Fort Smith. Fort Smith will be responsible for utilities, insurance and other expenses of Elm Grove Community Center. EMS employees will routinely, as a part of their employment duties, assist in Elm Grove Community Center housekeeping and maintenance. EMS employees will be issued a key and an alarm code, which must be disarmed upon entering the Elm Grove Community Center and armed upon exiting the Elm Grove Community Center when no Fort Smith Parks and Recreation staff are present. EMS is prohibited from allowing any citizen access to the Elm Grove Community Center at any time. Fort Smith may exercise its rights as the owner of the subject property and may send any EMS employee away from Elm Grove Community Center in the event any EMS employee violates any of the rules and policies developed by Fort Smith for persons on the premises of Elm Grove Community Center or for any other reason determined in the discretion of the Director of the Parks and Recreation Department of the City of Fort Smith or his or her designee.

6. EMS agrees to hold Fort Smith harmless from and to indemnify Fort Smith from any expense, damage, claim, lawsuit or other liability, including Fort Smith's cost of providing a legal defense to same, arising, directly or indirectly, from the EMS use of and occupation of a portion of Elm Grove Community Center.

7. Either party may terminate the Agreement by providing in writing a thirty (30) days advance notice to the other party.

8. In the event of any dispute regarding the provisions of this Agreement, the party raising the issue shall express the issue in writing to the other party. The other party shall respond to the written statement of the issue by the other party within ten (10) business days. If the parties do not resolve their

dispute, either party may seek judicial intervention in the dispute or proceed with other rights under this Agreement.

9. The provisions of this Agreement are severable. In the event any provision is determined to be improper, against public policy or unlawful in any respect, the remaining provisions of the Agreement shall continue in full force and effect.

10. All discussions and agreements between the parties prior to execution of this Agreement are merged in the executed Agreement.

11. Any failure to enforce any provision of this Agreement by either party shall not be deemed as a waiver of the provision of the Agreement. Either party may insist upon strict compliance with the Agreement at all times subsequent.

12. Notices. Wherever in this agreement it shall be required or permitted that notice be given by either party to the other, such notice must be in writing and must be given personally, or forwarded by certified mail addressed as follows:

Director Fort Smith Parks & Recreation 3301 South M Street Fort Smith, Arkansas 72903	Executive Director Fort Smith EMS P.O. 180010 Fort Smith, Arkansas 72918

This Agreement is executed by the authorized representatives of the parties as of the date of May 7, 2013.

FORT SMITH EMS, INC.

By:_____
Executive Director

CITY OF FORT SMITH, ARKANSAS

By:_____
Mayor

ATTEST:

_____
City Clerk

6D

RESOLUTION NO. _____

A RESOLUTION ACCEPTING DONATION OF
LOT 12 BLOCK 36 LOCATED AT 701 NORTH 8TH STREET
ADJACENT TO THE BELLE GROVE CENTER PROPERTY

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, that:

SECTION 1: The attached Quit Claim Deed for the donation of Lot 12, Block 36, located at 701 North 8th Street, Fort Smith, Arkansas, adjacent to the Belle Grove Center property, is hereby accepted.

SECTION 2: The City Administrator and City Attorney are hereby authorized to take any and all reasonable actions to complete the acceptance of the donation of the real property.

THIS RESOLUTION adopted this _____ day of May, 2013.

APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM

_____npr

PARKS RECREATION
FORT SMITH

Memo:

May 3, 2013

To: Ray Gosack, City Administrator
From: Mike Alsup, Parks and Recreation Director
Re: Acquisition of property adjacent to Belle Grove Center

The City received a quitclaim deed from the owner of 701 North 8th Street which is Lot 12 of Block 36 in the City Addition. This lot is adjacent to the city block where the Belle Grove Center is located on the northeast corner. The owner desires to donate the lot to the City.

It is recommended that the donation be accepted. The location of the property makes it easy for the Parks Department to maintain. No use for the property has been determined at this time.

If you have questions about this acquisition, please call me.

attachments

QUITCLAIM DEED

KNOW ALL BY THESE PRESENTS:

That Barbara M. Valentine, GRANTOR, unmarried, for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration in hand paid by the City of Fort Smith, Arkansas, GRANTEE(s), the receipt of which is hereby acknowledged, do hereby transfer and quitclaim unto the GRANTEE(s), and unto (his, her, their) heirs and assigns forever, all of my right, title, interest, equity and estate in and to the following described lands located in the County of Sebastian, State of Arkansas:

Parcel #11317-0012-00036-00
Description: Lot 12, Block 36, City Addition to the City of Fort Smith, Arkansas
Street Address: 701 North 8th Street, Fort Smith, Arkansas

To have and to hold the same unto the GRANTEE(s), and unto (his, her, their) heirs and assigns forever, with all tenements, appurtenances and hereditaments, thereunto belonging.

WITNESS my hand this 18th day of October, 2012

Barbara M Valentine
GRANTOR

This instrument prepared by:

Barbara M. Valentine
8 Charles Hill Circle
Orinda, CA 94563

CERTIFICATE OF ACKNOWLEDGEMENT

STATE OF California
COUNTY OF Contra Costa

On 10.1.12 before me, M. Marcucci, Notary Public, personally appeared Barbara M. Valentine, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PURJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

M. Marcucci

M. MARCUCCI
COMM. #1849723
NOTARY PUBLIC - CALIFORNIA
CONTRA COSTA COUNTY
My Comm. Expires May 17, 2013

Description of Attached Document
Title or Type of Document: Quit Claim Deed
Document Date: 10/1/12
Number of Pages: 2
Signer(s) other than named above: None

I, Certify, under penalty of false swearing that
At least the legally correct amount of documentary
Stamps have been placed on this instrument.

Barbara M Odell

Grantor or Agent

Address:
8 Charles Hill Circle
Orinda, CA 94563

701 North 8th Street

Donation Site

Copyright 2011 Esri. All rights reserved. Tue Apr 30 2013 11:04:03 AM.

6E

RESOLUTION NO._____

RESOLUTION AUTHORIZING LEASE AGREEMENT WITH
THE AMERICAN NATIONAL RED CROSS

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY FORT SMITH, ARKANSAS, THAT:

The Mayor is hereby authorized to execute the attached Lease Agreement between the City of Fort Smith and The American National Red Cross for the following property located at 1701 South Greenwood Avenue in the City of Fort Smith, Arkansas (Lot Three (3), and the South 1/2 of Lot Two (2) of Block Two (2), Pelley Addition No. 1 of the City of Fort Smith, Arkansas) and the building and all improvements thereon;

For and in consideration of the mutual covenants therein contained, the lease is for a term of fifteen (15) years at a rental of $1.00 per year, commencing on the date of the execution of the Lease, and is to replace the existing lease.

This Resolution adopted this _____ day of May, 2013.

APPROVED:

_____
MAYOR

ATTEST:

_____
CITY CLERK

Approved as to form:

_____
No Publication Required

Interoffice Memorandum

TO: Ray Gosack, City Administrator

FROM: Alie Bahsoon, Purchasing Manager

SUBJECT: **American Red Cross Lease**

DATE: May 2, 2013

You will find attached a resolution to authorize a new lease agreement between the City of Fort Smith and The American National Red Cross. This agreement is to replace the existing lease scheduled to expire in December of 2013.

Due to the improvements the Red Cross wants to make to the building, they would like to have the assurance of a long-term lease before they invest in the building and to take advantage of the weather as well.

We have negotiated a 15 year term lease agreement. You will also find attached a letter from Mr. John Layson, COO, Little Rock Region that further details the types of improvements to be made and the anticipated cost.

Please let me know if you should have any questions.

American
Red Cross

Arkansas Region
American Red Cross of Greater Arkansas
401 South Monroe
Little Rock, Arkansas 72205
501.748.1004
501.666.5060
www.redcross.org

May 2, 2013

Mr. Alie Bahsoon
Purchasing Manager
City of Fort Smith
Fort Smith, AR 72902

Dear Mr Bahsoon:

The American Red Cross has leased the site at 1701 S. Greenwood Ave. for almost 30 years. We would like to renew our lease so that we can continue to provide our services to Fort Smith and the surrounding communities. Once our lease agreement has been approved by all appropriate parties, we plan to spend approximately $50,000 to repair and upgrade the site. We are contracting with a local construction company to perform this work.

Due to the design and location of construction of the building on the site, it has suffered from water damage due to flooding from water draining from the surrounding areas, particularly at the rear. Most of the expense will be to repair the water damage to the building and to make to drainage design changes to reduce the potential of future flooding. There will be repair and replacement of the concrete between the Red Cross building and the EMS building next door. The stairs leading from the rear of the site to the alley will be removed. The HVAC system will also be replaced and other minor repairs made to the building. The need for mold remediation will also be evaluated and performed if possible or a plan developed if extensive.

The support of the City of Fort Smith in the past and in the future with our efforts to provide humanitarian services is greatly appreciated.

Sincerely,

John Layson
Chief Operating Officer, Arkansas Region

LEASE AGREEMENT

This Lease Agreement (the "Lease") entered into this ___ day of _____, 2013, by and between the City of Fort Smith, Arkansas, a municipal corporation ("Lessor"), and The American National Red Cross, a nonprofit corporation, a Federally chartered instrumentality of the United States, and a body corporate and politic under the laws of the United States (36 U.S.C. §§ 300101-300111 (2007)) ("Lessee"),

WITNESSETH:

1. For and in consideration of the mutual covenants herein contained, the Lessor hereby leases unto the Lessee and the Lessee hereby leases from the Lessor the following described property located at 1701 S Greenwood Avenue in the City of Fort Smith, Arkansas, to wit:

> Lot Three (3) and the South 1/2 of Lot Two (2) of Block Two (2), Pelley Addition No. 1 of the City of Fort Smith, Arkansas (the "Land") and the building thereon (the "Building"; said Building and Land and all improvements thereon being collectively called the "Premises").

2. This Lease is for a term of fifteen (15) years commencing on the date of the execution of this Lease (the "Initial Term"). Notwithstanding the foregoing, in the event that Lessee remains in possession beyond the expiration of the Initial Term, this Lease shall automatically be renewed on a month-to-month basis upon all of the terms and conditions herein set forth until terminated by either party by the giving of at least thirty (30) days' prior written notice to the other party (the Initial Term, as it may be so extended on a month-to-month basis, being herein called the "Term"). Upon the expiration of the Term of this Lease, all rights of use, possession and ownership of the Premises, including the Building thereon, shall revert to the Lessor. At the end of the Term hereinbefore provided, the Lessor and the Lessee may, upon written agreement of both parties, renew or extend this Lease on the terms set forth herein or on such other terms as may be mutually agreed upon.

2. Lessee may use the Premises for general office and administrative purposes, for use as a Red Cross blood donation, processing, testing, storage and distribution facility, for the temporary storage and distribution of disaster relief supplies and materials, and/or for any other

purpose consistent with the mission or business of The American National Red Cross ("Lessee's Use"), subject to the condition that Lessee, at its sole cost and expense, shall have, within a reasonable period of time from the date of the execution of this Lease, commenced substantial physical improvements to the Building for Lessee's Use.

3. In the event that Lessee discontinues the use of the Premises for Lessee's Use for a period in excess of ninety (90) consecutive days for any reason other than casualty, condemnation or temporary closures for the construction of any alterations or improvements, Lessor shall have the option to terminate this Lease by at least thirty (30) days' advance written notice to Lessee, and, upon the expiration of such 30-day notice period, this Lease shall terminate, and all Lessee's rights of use and possession of the Premises, including the Building and any alterations and improvements constructed thereon, shall cease and be surrendered to Lessor.

4. In consideration of Lessee making considerable anticipated physical improvements to the Building, there shall be no rent due for the Term.

5. The parties agree that the Building shall be used for Lessee's Use and that the Lessee may do any and all things normally incidental to the operation of such Lessee's Use (including temporary rental of the structure, parking, outdoor projects and activities), but may not use the Premises for any other purpose.

6. The Lessee agrees to keep the Premises clean and orderly and in reasonably good condition and Lessee further agrees to hold the Lessor harmless from any and all legal liability for bodily injury, death or property damage to the extent that such legal liability is caused by the negligence of the Tenant, its governors, officers, directors, employees, volunteers and agents, in the Tenant's use of the Premises during the Term.

7. Lessee will pay all utilities and maintenance costs for the Premises.

8. Lessee agrees to make the conference room of the Building available for public use without charge. Scheduled use of such conference room will be reasonably controlled by Lessee.

9. Lessee is permitted to make alterations and improvements to the Premises, including, but not limited to, the Building thereon, as it deems appropriate. All alterations, changes and improvements built, constructed or placed on the Premises by the Lessee (collectively, "Alterations"), with the exception of fixtures removable without material damage to the Premises and movable furnishings, equipment and personal property (collectively, "Lessee's

Property"), shall, unless otherwise provided by written agreement between Lessor and Lessee, upon the expiration or earlier termination of this Lease, become the property of the Lessor and remain on the Premises at the expiration or earlier termination of this Lease. Lessee's Property shall be remain the property of the Lessee and may be removed from the Premises at any time by Lessee during the Term of this Lease, provided, Lessee shall repair any damage occasioned by such removal.

10. Any material breach of any covenant or term of this Lease by either party, which continues at least thirty (30) days after written notice of same to the party in default shall be a basis for termination of this Lease. The provisions of this paragraph shall not limit any other lawful remedy available to a party hereto as a result of a Default under this Lease by the other party.

11. In the event any clause or provision of this Lease shall be invalid or void for any reason, such invalid or void clause or provision shall not affect the whole or this instrument, but the balance of the provisions hereof shall remain in full force and effect.

12. Any assent, expressed or implied, by either party hereto to any breach of the covenant or condition herein contained, shall operate as such only in the specific instance and shall not be construed as an assent or waiver of any such condition or condition generally or any subsequent breach thereof.

13. Both parties hereto, by their signatures, indicate that they have the right, title and authority to execute, accept and be bound by the terms and conditions of this Lease. Lessor represents to Lessee that Lessor is the fee simple owner of the Premises.

14. Lessee shall comply, at its sole cost and expense, with all present and future federal, state and local laws, ordinances, regulations and orders (collectively, "Laws") concerning (a) Lessee's particular use of the Premises and/or (b) any Alterations installed by Lessee, exclusive of any structural alterations and improvements to the Premises required by reason of a change in Laws (collectively, "Lessee's Compliance Obligations"). Except for Lessee's Compliance Obligations, Lessor, at its sole cost and expense, shall (a) maintain the Premises in compliance with all present and future Laws, and (b) make any structural alterations and/or improvements to the Premises required by reason of any change in Laws.

15. Lessee, at its sole cost and expense, shall have the right to install (a) its sign on the

exterior walls of the Building and on any monument sign serving the Premises; and (b) its flag on any flagpole serving the Premises; provided, that (i) Lessee obtains all governmental permits and approvals required in connection therewith, (ii) maintains such sign(s) and flag, as applicable, in good condition and repair (iii) removes such sign(s) and flag, as applicable, upon the expiration or earlier termination of the Term, and repairs any damage occasioned by such removal.

16. Lessee shall not assign this Lease or sublet the Premises or any part thereof, without the prior written consent of Lessor, which consent Lessor shall not unreasonably withhold, condition, or delay.

17. Lessee, at its expense, shall keep, throughout the Term: (a) commercial general liability insurance, with minimum limits of liability not less than $1,000,000 per occurrence and with respect to Lessee's obligations under this Lease Lessor is named as an additional insured; (b) property insurance (at full replacement value) on (i) any Alterations made by Lessee, naming Lessor as loss payee, as its interests may appear, and (ii) at Lessee's option, on Lessee's contents, trade fixtures, equipment, furnishings; and (c) worker compensation insurance covering Lessee's employees in statutory limits and employers liability coverage with at least the following limits, $250,000 per accident, $500,000 per disease and $250,000 per disease (each employee). With respect to Lessee's operations and obligations under this Lease all such insurance shall be considered primary coverage and not contributing with or in excess of any similar insurance maintained by Lessor. On request, Lessee shall furnish to Lessor proof of Lessee's insurance coverage then in place, in compliance with these terms and conditions, via a Memorandum of Insurance or a Certificate of Insurance.

18. Lessor, at its expense, shall maintain in full force and effect during the Term, property insurance (at full replacement value) on the Building and Lessor's property and equipment therein. With respect to Lessor's operations and obligations under this Lease all such insurance shall be considered primary coverage and not contributing with or in excess of any similar insurance maintained by Lessee. On request, Lessor promises to furnish to Lessee proof of Lessor's insurance coverage then in place, in compliance with these terms and conditions, via a Memorandum of Insurance or a Certificate of Insurance.

19. If the Building is totally or partially damaged or destroyed thereby rendering the

Premises totally or partially unusable for Lessee's Use (as determined by Lessee) and the same cannot reasonably be repaired and restored within one hundred eighty (180) days after the date of such damage or destruction, then Lessor and Lessee each shall terminate this Lease as of the date of such damage or destruction by giving the other written notice of termination within thirty (30) days after the occurrence of the damage or destruction. If this Lease is not terminated as a result of such damage or destruction, then Lessor and Lessee shall promptly repair and restore the Building and Premises (other than any Alterations previously made by Lessee), at Lessor's & Lessee's cost and expense. In the event that this Lease is terminated, then Lessee shall vacate the Premises according to such notice of termination.

20. If any portion of the Premises or occupancy thereof is taken or condemned by any governmental or quasi-governmental authority for any public or quasi-public use or purpose or sold under threat of such a taking or condemnation (collectively, "condemned") to such an extent that the Premises is rendered totally or partially unusable for Lessee's Use (as determined by Lessee), then this Lease shall terminate on the date title vests in such authority. All awards, damages and other compensation paid by such authority on account of such condemnation belong to Lessor, unless such award or any portion thereof, is specifically awarded or designated to be paid to the Lessee.

21. This Lease shall not be subject and subordinate to any mortgage, deed of trust, or other security instrument (a "Mortgage") encumbering the Premises unless Lessor obtains and delivers to Lessee a customary subordination, non-disturbance and attornment agreement in form reasonably satisfactory to Lessee and the holder of the Mortgage. Lessor represents and warrants to Lessee that, as of the date of this Lease, there is not any Mortgage encumbering the Premises or any portion thereof.

22. Lessor promises that so long as there is no Default by Lessee under this Lease beyond the expiration of the cure period, then, subject to the provisions of this Lease, Lessee will peaceably and quietly occupy and enjoy possession of the Premises without hindrance or interruption by Lessor or any other person or persons lawfully or equitably claiming by, through or under Lessor, including, without limitation, any tenants of Lessor (inclusive of any patrons of such tenants).

23. This Lease contains the entire agreement of the parties and supersedes all prior agreements, negotiations, letters of intent, proposals, representations, warranties and discussions between the parties. This Lease may be changed in any manner only by an instrument signed by both parties. Nothing contained in this Lease creates any relationship between Lessor and Lessee other than that of landlord and tenant. The provisions of this Lease are binding upon and inure to the benefit of the parties and their respective representatives, successors and assigns. This Lease is governed by the laws of the jurisdiction in which the Premises is located. This Lease may be executed in multiple counterparts, each of which is deemed an original and all of which constitute one and the same document. This Lease may be executed and delivered electronically, and electronic copies of the fully executed Lease may be treated as originals by the parties.

24. All notices or other required communications intended to exercise a right under this Lease must be in writing and will be deemed given only when delivered in person (with receipt), or when sent by certified or registered mail, return receipt requested, postage prepaid, to the following addresses: (a) if to Lessor, at _____, (b) if to Lessee, at:

Director - Real Estate
The American National Red Cross
600-A Forest Point Circle
Charlotte, NC 28273

With a copy to:
City of Fort Smith
P O Box 1908
Fort Smith, AR 72902

Office of the General Counsel
The American National Red Cross
2025 E Street, NW
Washington, DC 20006
Attention: Real Estate Counsel

Either party may change its address for the giving of notices by notice given in accordance with this Section. The parties may communicate informally by any reasonable written means, including electronic mail.

25. If either party is delayed or prevented from performing any obligation due to fire, act of God, governmental act or failure to act, labor dispute, inability to procure materials or any

cause beyond such party's reasonable control (whether similar or dissimilar to the foregoing events), then the time for performance of such obligation shall be excused for the period of such delay or prevention and extended for the time necessary to compensate for the period of such delay or prevention.

[Signature page follows.]

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the date and year first above written.

CITY OF FORT SMITH

_____
Mayor

ATTEST:

_____
City Clerk

THE AMERICAN
NATIONAL RED CROSS

_____

_____
Title

ATTEST:

_____
Secretary

6F

RESOLUTION NO. _____

RESOLUTION ACCEPTING BID FOR LANDFILL BULLDOZER

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY FORT SMITH, ARKANSAS, THAT:

The bid, as indicated by enclosure for the purchase of a landfill bulldozer from J.A. Riggs Tractor Company for $568,124.10, is accepted.

This Resolution adopted this _____ day of May, 2013.

APPROVED:

_____
MAYOR

ATTEST:

_____
CITY CLERK

Approved as to form:

_____
No Publication Required

Interoffice Memorandum

TO: Ray Gosack, City Administrator

COPY TO: Baridi Nkokheli, Director of Sanitation

FROM: Alie Bahsoon, Purchasing Manager

SUBJECT: Landfill Bulldozer Purchase

DATE: May 2, 2013

In December of 2005, the Board of Directors approved Ordinance 93-05, thereby authorizing the city to participate in the State Cooperative Purchasing program. This process has enabled us to take advantage of other negotiated contracts that the State of Arkansas currently participates in.

One of these contracts is the National Joint Powers Alliance (NJPA), a national municipal contracting agency offering national contract purchasing solutions by facilitating and awarding national competitively bid contracts. Because of their contract, local governments nationwide are permitted to purchase through their cooperative purchasing program.

The Sanitary Landfill Division of the Department of Sanitation (Program 6305) has budgeted $500,000 for this purchase for which funding has been appropriated for in the 2013 City Budget in the "Planned Purchases for 2013-Sinking Fund Account." Because of the NJPA contract (No. 060311), bids were not solicited and we are therefore acquiring this bulldozer from J.A. Riggs Tractor Company of Fort Smith in the amount of $568,124.10. You will find attached a memorandum from the Department of Sanitation with additional information about this purchase and the unit to be traded in.

Please be advised that this purchase fulfils all of the purchasing obligations as mandated by both state and local purchasing requirements; I am therefore recommending that the enclosed resolution be approved.

Please let me know if should require any additional information.

Fort Smith Department of Sanitation
Responsible Environmental Management

MEMORANDUM

May 3, 2013

To: Ray Gosack, City Administrator

From: T. Baridi Nkokheli, Director

Subject: Landfill Dozer Purchase

One of our landfill dozers, an essential piece of landfill equipment, has experienced a catastrophic engine failure. Asset 93, a 1993 Caterpillar D7H (waste handler package), has been used for 18,511 machine hours. In addition to the costly engine failure, the unit's torque converter overheats, the transmission is slipping and needs rebuilt/replaced, the track adjusters are worn out, the hydraulic pumps are weak, and the wear items (e.g. bushings, bearings, trunnions) require replacing or repair. Since 2007, expenditures associated with the repair of asset 93 and rental for a replacement unit during downtime have exceeded $458,000. Department staff believes the cost of the needed repairs and the age of the equipment warrants replacement. Overall, the unit is well beyond its useful life in solid waste management.

We are requesting to purchase a new replacement dozer under the National Joint Powers Alliance (NJPA) Contract (#060311-CAT) for $568,124.10 ($583,374.10 sell price less $15,250 trade allowance for asset 93). The Caterpillar D7EQ (waste handler package) is a heavy-duty machine with specialized guarding and seals designed specifically for solid waste handling applications and harsh landfill environments. The unit also utilizes an electric drive system which helps reduce overall operating costs and cleaner emissions (meets U.S. EPA Tier 4 Interim/EU Stage IIIB emissions standards). We expect the new unit will require between 30 - 50% less fuel than what was required for asset 93.

Funding for the purchase is available in the landfill equipment reserve within the sanitation sinking fund.

Please contact me should you have any questions or would like additional information regarding this request.

NK

NJPA Contract 060311

Quote 110395-01

May 2, 2013

CITY OF FORT SMITH
SANITATION DEPARTMENT
5900 COMMERCE RD
FORT SMITH, ARKANSAS 72916-8370

Attention: Terry Rankin

WE ARE PLEASED TO QUOTE THE FOLLOWING FOR YOUR PURCHASE CONSIDERATION.

ONE (1) NEW CATERPILLAR MODEL: D7EQ TRACK TYPE TRACTORS WITH ALL STANDARD EQUIPMENT IN ADDITION TO THE ADDITIONAL SPECIFICATIONS LISTED BELOW:

Sell Price	$583,374.10
Ext Warranty	Included
Net Balance Due	**$583,374.10**
Less Gross Trade Allowance	($15,250.00)
Before Tax Balance	**$568,124.10**

TRADE-INS

Model	Make	Serial Number	Year	Trade Allowance
D7HII	CATERPILLAR (AA)	5BF05678	1993	$15,250.00

WARRANTY

Standard Warranty:	12 Month/Unlimited Hours Full Machine* All standard warranties include travel time & mileage for first three months. Scheduled Oil sampling is required during entire warranty period.
Extended Warranty:	36 MO/5000 HR PT & HYD

ADDITIONAL CONSIDERATIONS

- Pricing pursuant to NJPA Contract 060311-CAT

THANK YOU FOR YOUR INTEREST IN RIGGS CAT AND CATERPILLAR PRODUCTS FOR YOUR BUSINESS NEEDS. THIS QUOTATION IS VALID FOR 30 DAYS, AFTER WHICH TIME WE RESERVE THE RIGHT TO RE-QUOTE. IF THERE ARE ANY QUESTIONS, PLEASE DO NOT HESITATE TO CONTACT ME.

SINCERELY,

BRETT AVLOS
MACHINE SALES REPRESENTATIVE RIGGS CAT

Accepted by _____ on _____

_____
Signature

ONE (1) NEW CATERPILLAR MODEL: D7EQ TRACK TYPE TRACTORS WITH ALL STANDARD EQUIPMENT IN ADDITION TO THE ADDITIONAL SPECIFICATIONS LISTED BELOW:

STANDARD EQUIPMENT

POWERTRAIN

- Aftercooler, Air to Air
- Air Cleaner, Precleaner with Strata Tube Dust Ejector
- C9.3 ACERT Engine
- EPA/ARB Tier 4 Interim and EU Stage IIIB Certified Engine with Aftertreatment
- Coolant, Extended Life
- Differential Steering
- Ecology Drains (Engine Oil, Coolant, Hydraulic Oil, Fuel Tank, Powertrain Case)
- Electronic Air Cleaner Service Indicator
- Fan, Hydraulically Driven Demand with High Ambient Capability
- Final Drives, Double Reduction
- Generator, AC
- Parking Brake
- Power Inverter
- Propulsion Module
- Prescreener
- Radiator, Core, Aluminum Bar Plate
- Separate Circuit Core, Aluminum Bar Plate
- Starting Aid, Ether
- Transmission, Continuously Variable
- Turbocharger, Wastegated
- Water Separator, Primary Fuel Filter

UNDERCARRIAGE

- Guards, End Track Guiding
- Heavy Duty Track (24" MS)
- Master Link
- Rollers and Idlers, Lifetime Lubricated
- Sprocket Rim Segments, Replaceable
- Track Adjusters, Gas Spring Recoil, Undercarriage, Heavy Duty

ELECTRICAL

- Accessory Power Converter (APC)
- Alarm, Backup
- Batteries, Maintenance Free (1000 CCA)
- Converter, 24V to 12V, 10 Amp
- Heater, Engine Coolant, 120V
- Horn, Forward Warning

OPERATOR ENVIRONMENT

- Armrest, Adjustable
- Bidirectional Shift Switch
- CB Ready
- Cab, Center Post, Integral ROPS/FOPS
- Continuously Variable Speed Control
- Controls, Electro-Hydraulic, Pilot Operated w/ Electronic Deactivation Switch
- Foot Supports, Dash
- Hour Meter, Electronic
- Machine Isolation
- Mirror, Rearview
- Modular HVAC, Cab Mounted
- Monitoring System, Electronic, with Coolant, Power Train Oil, and Hydraulic Oil Temperature, Fuel Gauge, Tachometer, Gear Indicator and Diagnostic Functions
- Operator Presence
- Pedal, Travel Control
- Radio Ready, 12V
- Seat Belt, Retractable, 3" (76mm)
- Seat, Cloth, Air Suspension
- Speed Recall Button
- Throttle Dial, Electronic with Eco Reverse
- Wipers, Intermittent

OTHER STANDARD EQUIPMENT

- CD ROM Parts Book
- Cab, Tilt
- Engine Enclosures, Perforated
- Front Tow Hook
- Grade Control Ready
- Guards, Hinged Bottom and Tilt
- Oil Cooler, Hydraulic
- Oil Cooler, Powertrain
- Radiator Doors, Louvered, Double Hinged
- Screen, Grill Door Fan
- S.O.S Sampling Ports

Guard, Final Drive Flange
Hood, Perforated
Hydraulics, Load Sensing, Dozer Lift
Vandalism Protection For Fluid Compartments and Battery Box

MACHINE SPECIFICATIONS

Reference No	Description	List Amount
377-0060	D7E LGP TRACTOR	$613,120.00
	90 Inch Gauge Frame	
323-2900	BLADE, 7S LGP, LANDFILL	$24,760.00
334-7807	FUEL GROUP, STANDARD	
353-3959	GUARD, FINAL DRIVE, SPROCKET	
375-0188	SEAT, CLOTH, AIR SUSPENSION	
375-0196	WINDOW, REAR, SOLID	
375-0213	VISIBILITY AR, SINGLE CAMERA	$3,940.00
377-0046	FAN, HYDRAULIC, AUTO REVERSING	$3,260.00
377-0096	INSTRUCTIONS, DOMESTIC	
377-0107	FLUIDS, STANDARD	
377-0108	HYDRAULICS, RIPPER	$6,120.00
377-0113	CONTROL BASIC, SINGLE TILT	
377-0117	NO SWEEPS	
377-0135	HYDRAULICS, SINGLE TILT	
377-0149	FUEL SYSTEM, FAST FILL	$2,855.00
379-4946	BATTERIES, HD and STARTER, HD	$412.00
379-4949	HEATER, ENGINE COOLANT (120V)	
379-4958	SWITCH, DISCONNECT, REMOTE MTD	$1,680.00
381-7864	LIGHT, HIGH MOUNT, PREMIUM	$3,345.00
381-7876	WASTE HANDLING ARRANGEMENT,LGP	$66,080.00
382-1381	RIPPER WITH STRIKER BAR	$45,890.00
382-5934	ENGINE COOLANT, STD (-37C)	
382-9082	ENGINE, THERMAL SHIELD	$10,620.00
383-0836	TRACK, 910MM / 36" ES TRAP HD	$4,685.00
386-4213	CELLULAR PRODUCT LINK	

Total List Price		**$786,767.00**
Contract Discount	**-22.00%**	**($173,088.74)**
Sub-Total after discount		**$613,678.26**
Freight Charge		**$4,500.00**
Prep and Delivery		**$1,556.00**
36 Month / 5000 Hour PT + Hyd		**$8,590.00**
Riggs CAT Volume Discount		**($44,950.26)**
Final Price		**$583,374.00**

MEMORANDUM

TO: Mayor and Board of Directors

FROM: Wendy Beshears, Administrative Assistant

DATE: May 3, 2013

SUBJECT: Planning Commission

There is a vacancy on the Planning Commission that needs to be filled.

The applicants available at this time are:

Robbie Davis	2901 Ionia
Kyle DeJaeger	8513 Rosewood Drive
Cody Friddle	1012 South 26 Street
Matthew Garner	12100 Sapling Drive
Stuart Ghan	4700 South U Street
Allen Harris	3117 Heather Oaks Way
Barbara Hathcock	3833 South W Street
Michelle Stockman Hood	10906 Edgewater Road
Mike Ichniowski	3205 Canongate Way
Valerie Lewis	2111 South T Street
Casey Millspough	2511 Oakview Road
Storm Nolan	2511 Greenridge Drive
Ken O'Donnell	55 Hiland Drive
Leo Patterson	4300 South 89 Street
Vannetta Posey	3801 Young Street
Elizabeth Quinn	2211 South R Street
Jeff Riggs	910 South 25 Street
David Roberts	1007 Adelaide Avenue
Tim Schale	3618 South O Street
Greg Shipley	9204 Canopy Oaks Drive

623 Garrison Avenue
P.O. Box 1908
Fort Smith, Arkansas 72902
(479) 785-2801
Administrative Offices FAX (479) 784-2430

Printed on 100% Recycled Paper

Randall Swain	3213 South 41 Street
Kerri Taake	2932 Cliff Drive
Caleb Yerton	N/A

Appointments are **by the Board of Directors.** One appointment is needed; the term will expire April 30, 2016.

PLANNING COMMISSION

The purpose of the Planning Commission is to prepare a development plan for the City, to receive and make recommendations on public and private proposals for the development and to prepare and administer planning regulations. The Planning Commission is authorized to prepare and adopt a land use plan, a community facilities plan, a master street plan, and such other plans affecting the general welfare of the City.

The Planning Commission, acting as Board of Zoning Adjustment, hears appeals from the decision of the administrative officers regarding enforcement and application of the zoning ordinances and hears requests for variances from the provisions of the zoning ordinance.

The Planning Commission consists of nine members, appointed by the Board of Directors for a three-year term. Members of the Planning Commission must be owners of or tenants in real property in the City of Fort Smith and be qualified electors of the City. The Planning Commission meets the second Tuesday of each month at 5:30 p.m. in the Rose Room of the Creekmore Community Center.

	DATE APPOINT	TERM EXPIRES
John Huffman Retired 8301 Clover Drive (08) 646-4271 (h) Jackethelhuf@sbcglobal.net	12/18/12	04/30/14
Vicki Newton 2725 Reeder Street (01) 709-9946 (h) 782-4001 (213) Vicki@dixiecupfcu.com	03/15/11	04/30/14
Thomas E. Howard Jr. 3121 Jackson (03) 648-9226 (h) 452-2636 (w) rhoward@risley-associates.com	03/15/11	04/30/14
Jennifer Parks Insurance Agent 3412 Coventry Ln (08) 649-8036 (h) 651-6503 (c) jenniferparks@healthpointinsurancesercices.com	04/18/06	04/30/15

Richard Spearman 10716 Hunters Point Road (03) 785-6204 (w) 452-0029 (h) rspearman@arkbest.com	06/19/12	04/30/15
Brandon Cox 7305 Ellsworth Road (03) 649-8142 (h) 478-7864 (w) bcox@propak.com	03/20/12	04/30/15
Marshall L. Sharpe 2912 South 34 Street (03) 649-7459 (h) 494-6305 (w) Msharpe@okfoods.com	08/17/10	04/30/16
Thomas James Assistant Pastor 2807 South 58 Street (03) 782-5756 (w) 226-0988 (h) TjamesLLC@aol.com	03/27/13	04/30/16
Don Keesee Banker 6607 Highland Drive (16) 719-8522 (h) 452-0709 (w)	03/27/13	04/30/16

Planning

CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

Note: As an applicant for a City Board, Commission or Committee, your name, address and phone number will be available to the press and the public. You will be contacted before any action is taken on your appointment.

Date: 1/30/2013

Name: Robbie Dean Davis Home Telephone: 479-646-7650

Home Address: 2901 Tonia Work Telephone: 479-648-9535

Zip: 72901 Email: _____

Occupation: Artis House of Beauty Tanning & Massage (Owner)
(If retired, please indicate former occupation or profession)

Education: High School + 1yr Beauty College 25yr.

(None) Professional and/or Community Activities: I would like to see Ft Smith grow + prosper.

Additional Pertinent Information/References: I would like to help make Ft Smith worthy of being the second largest Town in Arkansas.

Are you a registered voter in the City of Fort Smith? Yes ✓ No ___

Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?
Yes ✓ NO ___

If yes, please identify the [redacted] A "yes" answer will not automatically preclude you from consideration. [redacted]

Drivers License [redacted] Date of Birth [redacted] (This information will be use to conduct a criminal back ground check of all applicants).

I am interested in serving on the (please check):

( ) Audit Committee
( ) Advertising & Promoting Commission
( ) Airport Commission
() Animal Services Advisory Board
( ) Arkansas Fair & Exhibition Facilities Bd
( ) Benevolent Fund Board
( ) Bldg. Bd. Of Adjustment and Appeals
(X) Central Business Improvement District
() Comprehensive Plan Steering Committee
( ) Convention Center Commission
( ) Civil Service Commission
( ) Community Development Advisory Com.
( ) County Equalization Board
( ) Electric Code Board of Appeals & Appeals
( ) Fire Code Board of Appeals & Adjustments
( ) Historic District Commission
( ) Housing Assistance Board
( ) Housing Authority
( ) Library Bd of Trustees
( ) Mechanical Bd of Adjustments and Appeals
( ) Oak Cemetery Commission
( ) Outside Agency Review Panel
( ) Parking Authority
( ) Parks & Recreation Commission
(X) Planning Commission
( ) Plumbing Advisory Board
( ) Port Authority
( ) Property Owners Appeals Board
( ) Sebastian County Reg. Solid Waste Mgmt. Bd.
( ) Sister Cities Committee
( ) Transit Advisory Commission
( ) Residential Housing Facilities Board

Planning

CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

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Date: 1/25/13

Name: Kyle L. DeJaeger

Home Telephone: 479-452-1154

Home Address: 8513 Rosewood Drive

Work Telephone: 479 719 0549

Zip: 72903

Email: KXZDEJAEGER@HOTMAIL.COM

Occupation: RETIRED EXECUTIVE VICE PRESIDENT, JARDEN PLASTIC SOLUTIONS
(If retired, please indicate former occupation or profession)

Education: B.S. MECHANICAL ENGINEERING, UNIV. OF COLORADO

Professional and/or Community Activities: SEE ATTACHED

Additional Pertinent Information/References: MAYOR SANDY SANDERS

Are you a registered voter in the City of Fort Smith? Yes X No ___
Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?
Yes___ NO X
If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.___
Drivers License [redacted] Date of Birth [redacted] (This information will be [redacted] ound check of all applicants

I am interested in serving on the (please check):

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( ) Advertising & Promoting Commission
( ) Airport Commission
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( ) Benevolent Fund Board
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( ) Parks & Recreation Commission
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( ) Port Authority
( ) Property Owners Appeals Board
( ) Sebastian County Reg. Solid Waste Mgmt. Bd.
( ) Sister Cities Committee
( ) Transit Advisory Commission
( ) Residential Housing Facilities Board
(X) Comprehensive Plan Steering Committee

Kyle L. DeJaeger

8513 Rosewood Drive Fort Smith, Arkansas 72903 479.452.1154 home 479.719.0549 cell
kx2dejaeger@hotmail.com

Qualifications Summary

Accomplished executive with multiple years experience leading diverse professionals in exceeding objectives with complete overall operation responsibilities. Excellent interpersonal and mentoring skills. Proficient in Lean Manufacturing techniques (Six-sigma Champion) and Continuous Improvement programs. Achieved outstanding performance from line, staff, and executive positions. Experience spans companies of various sizes, multiple plant responsibilities, as well as different industries. Active in local, regional and national networking.

Selected Accomplishments

- Developed and coordinated Continuous Improvement programs (Six-Sigma lean manufacturing techniques) throughout the manufacturing segments of Jarden Corporation resulting in substantial savings in respective divisions (Average annual savings from formal programs $3-$5 million)
- Significantly increased business unit revenue and profitability through internal growth, acquisitions, and new product introductions; over a five year period division revenue grew from $20-$35 million while profit margins increased
- Negotiated and secured profitable long term agreements with major customers and suppliers
- Conducted in-depth market analysis for proposed new products and acquisitions
- Incorporated ISO quality systems and programs
- Established team operations in a 24/7 manufacturing environment
- Led staff in post-acquisition integration programs
- Established system of value drivers for use in measuring the business
- Successfully coordinated and integrated the efforts of staff professionals in manufacturing, finance and administration, marketing, sales, engineering and human resources to ensure continuing effective operations through operational and strategic planning
- Established effective cost analysis systems and competitive buying practices for raw material purchases
- Managed multiple locations and remote staff

Employer History

7/07 - Present Management Consultant and Financial Advisor / Semi-Retired

Responsible for consulting and advising entities in lean manufacturing, continuous improvement and other manufacturing and financial techniques in operations and administration.

1/05 - 7/07 Executive Vice President (Continuous Improvement), Jarden Plastic Solutions, Jarden Corporation*

Responsible for Continuous Improvement Programs with in Jarden Plastic Solutions and selected divisions of Jarden Corporation. Evaluate operations and facilitate Lean Manufacturing Techniques to improve performance and increase profitability. Evaluate all manufacturing operations within Jarden Corporation and developed plans for various stages of Continuous Improvements year to year. Targeted $3-8 million in savings.

1/02 – 12/04 President, Alltrista Industrial Plastics, Jarden Corporation – Fort Smith, AR

Reinstated as President after corporate reorganization (Board President, CEO and CFO changes) and the divestiture of Alltrista Thermoformed Products Division operations. Industrial Plastics Company is a "World Class" industrial thermoformer and plastic sheet extruder primarily working with Acrylontrile-butadiene-styrene (ABS) and High-Impact-polystyrene (HIPS) materials. Unit revenue is approximately $35 million with approximately 80% appliance related. Primary appliance customers are Whirlpool Corporation and Diversified Refrigeration Incorporated. The remaining business are proprietary lines of plastic folding banquet tables serving the furniture, hospitality, education, church, recreational, rental and institutional markets while providing sheet products to the open market. Total responsibility of the division including financial, sales, marketing, administration, and engineering.

11/00 – 12/01 Senior Vice President Manufacturing, Alltrista Thermoformed Products Division

Responsible for manufacturing operations of multiple facilities (five) of Alltrista Thermoformed Products Division (TPD). TPD is the largest industrial thermoformer in North America, using twin sheet, single sheet, vacuum, and pressure forming techniques. Also responsible for sheet extrusion operations that vertically integrate sheet into our facilities. Responsible for operational performance in all areas, including customer service and new product prototyping. Responsible for initiating and completing process and product improvement programs, budgets, strategic and operational planning, training and succession planing for the manufacturing area.

1992 – 11/00 President, Alltrista Industrial Plastics Company, Fort Smith, AR (Formerly Ball Plastics Company)

Responsibilities include growth of the extrusion and thermoforming business, identification and development of new business opportunities, and financial performance of the division. In 1997 sought, evaluated and integrated a new company with our existing business. Directed staff in achieving productivity improvements for all key resources and, with management team, established comprehensive performance measures and goals to enhance overall division performance. Continuously monitored and improved strategic and operating plans and objectives.

1986 – 1992 Plant Manager and General Manager, Ball Plastics Company, Fort Smith, AR

Directed the plant quality, production, manufacturing, engineering, and administrative functions. Prepared, justified and administered the plant operating budgets.

Other Positions

Manager, Closure Engineering, Ball Metal Container Group, Broomfield, CO

Lead Production Engineer, Ball Metal Container Group, Broomfield, CO

Department Manager, Ball Metal Container Group, Fairfield, CA

Engineer and General Supervisor, Ball Metal Container Group, Lakewood, CO

Senior Project Engineer, Sunbeam Mile High Equipment Company, Denver, CO

United States Army National Guard, 140th Signal Battalion, in Denver, CO.

Selected Professional Activities and Organizations

- Manufacturing Executives Association, Board of Directors
- Society of Plastics Engineers, Senior Member
- Society of Manufacturing Engineers
- Westark College (University of Arkansas, Fort Smith) NSF Advisory Committee
- Sparks Regional Medical Center, Board of Advisory Trustees
- Fort Smith Public Schools, Strategic Plan Committee
- United Way, Captain / Chairman of the Manufacturing Division
- Leadership Fort Smith, Board of Advisors

Selected Professional Development

- Six Sigma Quality Workshop – Champion Status
- Principle Centered Leadership – Stephen Covey
- Seven Basic Habits of Highly Effective People - Stephen Covey
- Fundamentals of Finance and Accounting
- Lessons in Leadership

Education

Bachelor of Science, Mechanical Engineering, University of Colorado

* Jarden Corporation formerly known as Alltrista Corporation officially changed names in May 2002. New York Stock Exchange: JAH

1-25-13

Planning

CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

Note: As an applicant for a City Board, Commission or Committee, your name, address and phone number will be available to the press and the public. You will be contacted before any action is taken on your appointment.

Date: 2-5-2013

Name: Cody Fiddle

Home Telephone: 479-285-1589

Home Address: 1012 South 26th St

Work Telephone: 479-452-8800

Zip: 72901

Email: codyfiddle@hotmail.com

Occupation: Dentist
(If retired, please indicate former occupation or profession)

Education: DDS Baylor College of Dentistry

Professional and/or Community Activities: FS Express soccer coach, Active in Newlife Church, Member State & local dental associations, Former First Tee boardmember

Additional Pertinent Information/References: _____

Are you a registered voter in the City of Fort Smith? Yes X No ___

Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?

Yes___ NO X

If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.___

Drivers License_____ Date of Bi_____(This information will b_____und check of all applican_____

I am interested in serving on the (please check):

( ) Audit Committee
( ) Advertising & Promoting Commission
( ) Airport Commission
( ) Arkansas Fair & Exhibition Facilities Bd
( ) Benevolent Fund Board
( ) Bldg. Bd. Of Adjustment and Appeals
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( ) Parking Authority
( ) Parks & Recreation Commission
(X) Planning Commission
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( ) Port Authority
( ) Property Owners Appeals Board
( ) Sebastian County Reg. Solid Waste Mgmt. Bd.
( ) Sister Cities Committee
( ) Transit Advisory Commission
( ) Residential Housing Facilities Board
( ) Comprehensive Plan Steering Committee

02/07/2013 11:56 Dr. Cody Fiddle (FAX) P.002/003

Planning

CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

Note: As an applicant for a City Board, Commission or Committee, your name, address and phone number will be available to the press and the public. You will be contacted before any action is taken on your appointment.

Date: 2/13/13

Name: Matthew Garner Home Telephone: (479) 431-8618

Home Address: 12100 Sapling Drive Work Telephone: -7 SAME

Zip: 72916 Email: Mgarner@baldor.com

Occupation: Auditor - Baldor Electric
(If retired, please indicate former occupation or profession)

Education: B.S. Accounting, B.S. Business Administration

Professional and/or Community Activities: United Way, Boy Scouts, Water Commission

Additional Pertinent Information/References: _____

Are you a registered voter in the City of Fort Smith? Yes X No ___
Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?
Yes___ NO X
If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.___
Drivers License [redacted] Date of Birth [redacted] This information will b[redacted]ground check of all applicants)

I am interested in serving on the (please check):

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Planning

CITY OF FORT SMITH
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Note: As an applicant for a City Board, Commission or Committee, your name, address and phone number will be available to the press and the public. You will be contacted before any action is taken on your appointment.

Date: 2/19/13

Name: Stuart Ghan Home Telephone: 479·226·2626

Home Address: 4700 S. U Street Work Telephone: 479·478·6161

Zip: 72903 Email: stuart@rhghan.com

Occupation: Real Estate Development and Property Management
(If retired, please indicate former occupation or profession)

Education: Bachelor of Science in Business Admin, University of Tulsa

Professional and/or Community Activities: Involved day to day in development of commercial property in Fort Smith.

Additional Pertinent Information/References: _____

Are you a registered voter in the City of Fort Smith? Yes✓ No ___
Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?
Yes___ NO✓
If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.___
Drivers License_____ Date of Birth [redacted] his information will be [redacted] ound check of all applicants)

I am interested in serving on the (please check):

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( ) Residential Housing Facilities Board
( ) Comprehensive Plan Steering Committee

Planning Com/

CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

Note: As an applicant for a City Board, Commission or Committee, your name, address and phone number will be available to the press and the public. You will be contacted before any action is taken on your appointment.

Date: 02/05/13

Name: ALLEN HARRIS Home Telephone: 479-883-0357

Home Address: 3117 HEATHER OAKS WAY Work Telephone: 479-649-7070

Zip: 72908 Email: allen.harris67@gmail.com

Occupation: President & Owner A. HARRIS MOVING & STORAGE, Inc
(If retired, please indicate former occupation or profession)

Education: SOUTHSIDE HIGH SCHOOL & WESTARK.

Professional and/or Community Activities: MEMBER FIRST BAPTIST CHURCH,

Additional Pertinent Information/References: DAVID GEHAN ATTORNEY 479-414-0202
JOE EDWARDS (Benefi + Bank) 479-806-7307

Are you a registered voter in the City of Fort Smith? Yes ✓ No ___
Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?
Yes___ NO ✓
If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.___
Drivers License [redacted] Date of Birth [redacted] This information will b[redacted]und check of all applicants).

I am interested in serving on the (please check):

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Planning

CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

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Date: 1-26-13

Name: Barbara J. Hathcock Home Telephone: 479782-5440

Home Address: 3833 So 'W' ST Work Telephone: _____

Zip: 72903 Email: bjhathcock@cox.net

Occupation: volunteer
(If retired, please indicate former occupation or profession)

Education: BA-BS, MA

Professional and/or Community Activities: Ft. Smith School Bd (14 yrs), Pres. 2x, Ft. Smith Symphony (Pres 2x) F.S. Public School Foundation Bd Ft. Smith Museum of History, Girl Scout Bd., Boy Scout Bd., Sparks Guild (Pres)

Additional Pertinent Information/References: Mayors comm of the Arts, Leadership Ft. Smith (1996) - Pres of Bd & Alumni Assoc

Are you a registered voter in the City of Fort Smith? Yes ✓ No ___

Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?

Yes___ NO ✓

If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.

Drivers License [redacted] Date of Birth [redacted] (This information will [redacted] round check of all applicants)

I am interested in serving on the (please check):

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( ) Oak Cemetery Commission
( ) Outside Agency Review Panel
( ) Parking Authority
( ) Parks & Recreation Commission
(X) Planning Commission
( ) Plumbing Advisory Board
( ) Port Authority
( ) Property Owners Appeals Board
( ) Sebastian County Reg. Solid Waste Mgmt. Bd.
( ) Sister Cities Committee
( ) Transit Advisory Commission
( ) Residential Housing Facilities Board
(X) Comprehensive Plan Steering Committee

Planning

CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

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Date: January 25, 2013

Name: Michelle Steckman-Hood

Home Telephone: 479-719-1297

Home Address: 10906 Edgewater Rd

Work Telephone: 479-314-1186

Zip: 72903

Email: mstockman88@gmail.com

Occupation: Non profit Management
(If retired, please indicate former occupation or profession)

Education: Bachelors at Loyola Univ - Chicago, Masters in Business at Western Carolina

Professional and/or Community Activities: Small business coach, entrepreneur, Rotary, Volunteer & fundraiser for a non-profit: the Arkansas Dream Center, Volunteer for The CALL, Women's ministry leader for New Life Church

Additional Pertinent Information/References: Previous Parks & Recreation board member and planning commission in Garner, NC also former Hospice and community volunteer in Chicago and North Carolina.

Are you a registered voter in the City of Fort Smith? Yes X No ___
Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?
Yes___ NO X
If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.___
Drivers License [redacted] Date of Birth [redacted] his information will b [redacted] round check of all applicants).

I am interested in serving on the (please check):

( ) Audit Committee
( ) Advertising & Promoting Commission
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( ) Benevolent Fund Board
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( ) Housing Assistance Board
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( ) Sebastian County Reg. Solid Waste Mgmt. Bd.
( ) Sister Cities Committee
( ) Transit Advisory Commission
( ) Residential Housing Facilities Board
(X) Comprehensive Plan Steering Committee

References: Matt Pitsch, Gary Campbell, Jim Spears, Sheri Neely, Dr. Paul Beran, John McIntosh

Planning

CITY OF FORT SMITH
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Date: 2-18-13

Name: MIKE ICHNIOWSKI

Home Telephone: 434-6246

Home Address: 3205 CANONGATE WAY, FORT SMITH, ARK.

X Work Telephone: 226-2020 CELL

Zip: 72908

Email: MICHNIOW@LIVE.COM

Occupation: ACCT. MANAGER FOR REXEL ELECTRICAL CORP.
(If retired, please indicate former occupation or profession)

Education: B.BA. DEGREE IN MARKETING FROM UCA IN CONWAY.

Professional and/or Community Activities: HAVE BEEN INVOLVED IN MANY ACTIVITIES SUCH AS YOUTH COACHING, RIVERFEST, U of A FT. SMITH ALUMNI, 1ST METHODIST COMMITTEES ETC.

Additional Pertinent Information/References: WORKED IN MEDIA, MANUFACTURING & GOVT.
★ FULL BACKGROUND, AND PERSONAL & PROFESSIONAL REFERENCES ATTACHED.

Are you a registered voter in the City of Fort Smith? Yes X No ___
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Yes___ NO X
If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.___
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( ) Sister Cities Committee
( ) Transit Advisory Commission
( ) Residential Housing Facilities Board
✓(X) Comprehensive Plan Steering Committee

2-18-2013

I would be very interested in being part of Fort Smith's Comprehensive Plan Steering Committee.

As a 35 year resident of Ft. Smith, I have a love for the city, the people, and the culture, and I feel that Fort Smith has great potential for future growth and prosperity. I would like to 'give back' to the community that helped raise me by contributing my ideas and experience to a team of thoughtful people who have the future well-being of Ft. Smith in mind.

My diverse work background includes many successful years in sales, management and strategic planning in both the Media and the Manufacturing fields.

EDUCATION:

My academic background includes 2 years at the University of Arkansas Ft. Smith (in the Westark days) as well as several years at UCA in Conway, where I earned a BBA Degree in Marketing. I am a member of the UAFS Alumni Association.

I have also received extensive professional training of various kinds from Rockwell Corp – Milwaukee Campus, and 3-M Corp-Minneapolis Campus.

I worked for the United States Census Bureau during the 2010 Census , covering the Ft. Smith area, and going through 32 hours of training, and passing extensive US Govt. tests and background checks.

RELEVANT PROFESSIONAL EXPERIENCE:

Positions of leadership and planning that I have held include 3 + years as General Sales Manager for KWHN News-talk Radio from 1997 to 1999 where I supervised sales and creation of new programing, as well as taking part in many, many Ft. Smith community events, political activities, civic events, et.

Since I had grown up around Manufacturing, (my father was the Plant Manager at Rheem Mfg.) , I went into the Industrial Products Distribution and Manufacturing area. I served from 2000 to 2007 as the District Sales & Business Manager for Briggs Weaver-Hagemeyer Industrial, supervising 25 direct reports in Arkansas & Oklahoma and taking part in Long-term strategic planning for the integrated needs of major corporations like Falcon Jet, Cloyes Gear, Baldor, Kimberly Clark and many others.

I am currently an Account Manager for Rexel Electrical, the industry's largest electrical products and services company. I serve the Western Arkansas / Eastern Oklahoma area.

My current position allows me to set my own schedule, which makes it easy for me to attend any meetings, events, etc. related to being on this committee, and allows me to perform any additional duties that may arise.

2.

CONTACT INFORMATION :

I can be contacted by cell phone at 226-2020 or Ft. Smith phone at 434-6246 and can also be contacted by e-mail at michniow@live.com

REFERENCES:

These relevant personal and professional references can attest to my character, abilities, work ethic, and successful background working in a team environment:

Julie Moncrief, Executive Director, Clayton House, Ft. Smith 479-783-3000

Mike & Donna Stec, Chairman and President, Alpha Packaging Corp. 479-651-3134

Larry Robertson, former HR Director, Planters Peanuts, Ft. Smith, 479-646-8534

Fred Goebel , Area Supervisor, US Census Bureau, 479-783-1615

Don Foster, former Division President, Rheem Mfg. Co. 479-452-4427

James Graham, Lairmoor Broom, and Ft. Smith Rodeo Committee, 479-719-3833

*Additional personal and professional references available upon request.

Thanks for your time and consideration

Mike Ichniowski, Ft. Smith 479-226-2020

Planning

CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

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Date: 1-25-13

Name: Valerie Lewis Home Telephone (479) 783-0687

Home Address: 2111 S. T ST. ; F.S. Work Telephone: "

Zip: 72901 Email: VAL1@att.com

Occupation: OWNER : HOMES OFFERED BY OWNERS
(If retired, please indicate former occupation or profession)

Education: B.A. Hendrix

Professional and/or Community Activities: _____

_____

Additional Pertinent Information/References: _____

_____

Are you a registered voter in the City of Fort Smith? Yes ✓ No ___
Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?
Yes___ NO ✓
If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.
Drivers Licen[redacted] Date of Birth [redacted] This information wil[redacted] round check of all applicants).

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(✓) Comprehensive Plan Steering Committee

CITY OF FORT SMITH
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Date: 2/4/13

Name: Lesley Millspaugh

Home Telephone: 817-676-4104

Home Address: 2511 Oakview Rd Apt 10 Fort Smith, AR

Work Telephone: 479-45-9-4015

Zip: 72908

Email: lmillspaugh@ups.com

Occupation: Account Manager UPS
(If retired, please indicate former occupation or profession)

Education: Bachelor of Science Business Administration

Professional and/or Community Activities: Will discuss

Additional Pertinent Information/References: Will discuss

Are you a registered voter in the City of Fort Smith? Yes X No ___

Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?

Yes___ NO X

If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.

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Date: 2013-03-10

Name: Storm Nolan

Home Telephone: 479-414-2825

Home Address: 2511 Greenridge Drive

Work Telephone: 479-649-6909

Zip: 72903

Email: snolan@CSKhotels.com

Occupation: Hotel Developer/Owner/Operator
(If retired, please indicate former occupation or profession)

Education: Southside High School, B.S. from Cornell University, M.B.A. from Columbia University

Professional and/or Community Activities: Serve on the Leadership Fort Smith Alumni Association Board of Directors. Served on the Fort Smith Planning Commission.

Additional Pertinent Information/References: My step-father, Chris Whitt, has been a significant contributor to UAFS. Our family is a member and active participant of the Family Enterprise Center at UAFS.

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Yes____ NO X
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( ) Sister Cities Committee
( ) Transit Advisory Commission
( ) Residential Housing Facilities Board
( ) Comprehensive Plan Steering Committee

Storm Nolan

2511 Greenridge Drive
Fort Smith, AR 72903
snolan@CSKhotels.com
m 479.414.2825

Education

Columbia University, Columbia Business School, New York, NY
MBA, 2008 Concentration: **Real Estate**
Cornell University, School of Hotel Administration, Ithaca, NY
BS, 2002 Concentration: **Real Estate Finance and Development**
Cumulative GPA: 3.85, Dean's List (Graduated with Distinction), Ranked 5 of 201

Experience

2002 - Present **CSK hotels,** Fort Smith, AR
Partner/Co-Founder

- Responsible for development of fifteen hotels (200+ employees in our company)
  - One-third partner with step-father and brother
  - Most hotels outperform their competitive set
  - Our hotels have won many awards including Inn of the Year and Platinum Awards
  - Guest satisfaction scores among the best in their respective states
- Responsible for management and operations at all of the hotels
- Implemented scorecard approach for revenue, labor, guest satisfaction, and profit targets
- Responsible for myCSK.com development - our internal operations and accounting portal
- Transitioned hotel-level sales staff from salary to incentive compensation system
- Assembled ten financing packages for bank approval; hotels and self storages
- Personally manage 72,000 sf retail shopping center; half-owner with brother

2010 - Present **CanvasHQ.com - Create canvas art with your photos.**, Fort Smith, AR
Founder

- Hotel spinoff company, created a company that ships custom canvases all over the U.S.
- Designed and executed the creation of our custom e-commerce fulfillment platform
- Continue to rapidly grow the company - 2012 revenues increased by 120% over 2011

1999 - 2000 **PromotionShop.com, Inc.**, Fort Smith, AR
Founder

- Created a company to allow for online design and ordering of promotional business products
- Supervised, hired, and trained a group of seven technical workers
- Created a comprehensive investor prospectus for the company
- Coordinated our efforts with a hired programming group
- Generated pro-formas, feasibility studies, and financial statements for prospective investors

Activities

- Past Chairman, Value Place Hotels Franchisee Advisory Council
- Executive Committee, **Libertarian Party** of Arkansas
- Past Board of Directors, Arkansas Self Storage Association
- Board of Directors, **Leadership** Fort Smith Alumni Association
- Participant in Inaugural Class, **Leadership** Arkansas
- Past Executive Board Member, **Cornell Entrepreneur Organization** (CEO) - 2000
- Licensed Instrument **Pilot**
- Certified Rescue Diver

Planning

CITY OF FORT SMITH
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Date: 1/29/13

Name: Ken O'Donnell

Home Telephone: 782-6663

Home Address: 55 Hiland Dr

Work Telephone: same

Zip: 72901

Email: kenod49@gmail.com

Occupation: Retired; Director of Planning; Bi-State MPO Director WAPDD.
(If retired, please indicate former occupation or profession)

Education: Batchelor of Arts Education, Masters Urban + Regional

Professional and/or Community Activities: Volunteer, Miss Lavras + ~~National~~ Planning; Ole Miss ~~Historic Site~~ National Historic Site/Special Projects

Additional Pertinent Information/References: Director of The Regional Transportion Planning Agency for 32 years re Regional goals

Are you a registered voter in the City of Fort Smith? Yes ✓ No ___
Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?
Yes___ NO ✓
If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from conside[redacted]
Drivers License_[redacted] Date of Bi[redacted]__(This information will b[redacted]ground check of all applicar[redacted]

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Planning

CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

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Date: 2-1-13

Name: LEO PATTERSON Home Telephone: 479-883-9923

Home Address: 4300 So. 89th St. Work Telephone: -

Zip: 72903 Email: caliban@cox.net

Occupation: Retired high school administrator
(If retired, please indicate former occupation or profession)

Education: Masters degree (educ. adm.)

Professional and/or Community Activities: American Legion (post 31)
volunteer at F.S. visitor's Center.

Additional Pertinent Information/References: Carolyn Joyce

Are you a registered voter in the City of Fort Smith? Yes X No ___
Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?
Yes___ NO X
If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.___
Drivers License_____ Date of Birth_____ This information will be use to conduct a criminal background check of all applicants).

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Planning

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Date: Feb 8 2013

Name: Vannetta Posey

Home Telephone: 479-651-7303

Home Address: 3801 Young St

Work Telephone: 479-651-7303

Zip: 72904

Email: _____

Occupation: Self

(If retired, please indicate former occupation or profession)

Education: 12th grade

Professional and/or Community Activities: _____

Mentoring Program Girls & Boys Club

Additional Pertinent Information/References: _____

_____

Are you a registered voter in the City of Fort Smith? Yes X No ____

Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?

Yes____ NO X

If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consid[redacted]

Drivers License[redacted] Date of Birth[redacted] This information will [redacted]ack ground check of all applicants)

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Date: 01/29/13

Name: Elizabeth Quinn Home Telephone: 479.420.3280

Home Address: 2211 S. R St Work Telephone: 479.484.7182

Zip: 72901 Email: elizabethjayne@gmail.com

Occupation: General Manager, Sweet Bay Coffee Co.

Education: University of Central Arkansas, Conway Arkansas. B.A. Political Science, May 2008.
Honors College 2003-2005. Courses in Administrative and Business Law, Planning.

Community Activities: Citizens' Academy Fall 2012. Positive People of Fort Smith; led in the efforts to establish a monthly "cash mob" to support our local businesses. Fort Smith Trolley Museum social media coordinator and research library volunteer. Fort Smith Regional Art Museum exhibit volunteer "Women to Watch" 2012.

References: Please contact Tracy Winchell, Fort Smith Communications Director, for reference.

Are you a registered voter in the City of Fort Smith? Yes_X_ No ____
Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense? Yes____ NO__X__
If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.

Drivers Lice
Date of Birtl
(This inform ... criminal background check of all applicants).

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CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

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Date: 2-27-13

Name: JEFF RIGGS

Home Telephone: (479)-883-0157

Home Address: 910 S 25th St.

Work Telephone: (479) 242-4581

Zip: 72901

Email: JRIGGS@LJBCONSTRUCTIONINC.COM

Occupation: VICE PRESIDENT - LJB CONSTRUCTION INC - GC.
(If retired, please indicate former occupation or profession)

Education: BS of ENGINEERING TECH.

Professional and/or Community Activities: PRESIDENT of Junior Chamber of Commerce

Additional Pertinent Information/References:

Are you a registered voter in the City of Fort Smith? Yes X No ___
Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?
Yes___ NO X
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Drivers License [redacted] Date of Birth [redacted] (This information will be [redacted] check of all applicants

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Planning

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Date: January 30, 2013

Name: David Roberts

Home Telephone: 479.926.9467

Home Address: 1007 Adelaide Avenue

Work Telephone: N/A

Zip: 72901

Email: fsaroberts@yahoo.com

Occupation: Retired (formally Director of Meals on Wheels for Greater Houston; Houston, TX)
(If retired, please indicate former occupation or profession)

Education: Southside High School 1969; University of Arkansas, Fayetteville, BA in History, 1980

Professional and/or Community Activities: Volunteer at Ruth Armstrong Nature Center; Project Compassion Board member; Fort Smith Museum of History Board member; Second Street Live Board member

Additional Pertinent Information/References: References – Sister Judith Marie Keith, Mike Alsup, Pam Weber, Mike Smets

Are you a registered voter in the City of Fort Smith? Yes XX No ____
Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?
Yes____ NO XX
If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.

Drivers License Arkar[redacted] Date of Birth [redacted]tion will be used to conduct a criminal back ground check of all applican[redacted].

I am interested in serving on the (please check):

( ) Audit Committee
( ) Advertising & Promoting Commission
( ) Airport Commission
() Animal Services Advisory Board
( ) Arkansas Fair & Exhibition Facilities Bd
( ) Benevolent Fund Board
( ) Bldg. Bd. Of Adjustment and Appeals
( ) Central Business Improvement District
(X) Comprehensive Plan Steering Committee
( ) Convention Center Commission
( ) Civil Service Commission
( ) Community Development Advisory Com.
( ) County Equalization Board
( ) Electric Code Board of Appeals & Appeals
( ) Fire Code Board of Appeals & Adjustments
( ) Historic District Commission
( ) Housing Assistance Board
( ) Housing Authority
( ) Library Bd of Trustees
( ) Mechanical Bd of Adjustments and Appeals
( ) Outside Agency Review Panel
( ) Parking Authority
( ) Parks & Recreation Commission
(X) Planning Commission
( ) Plumbing Advisory Board
( ) Port Authority
( ) Property Owners Appeals Board
( ) Sebastian County Reg. Solid Waste Mgmt. Bd.
( ) Sister Cities Committee
( ) Transit Advisory Commission
( ) Residential Housing Facilities Board
( ) Oak Cemetery Commission

Planning

CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

Note: As an applicant for a City Board, Commission or Committee, your name, address and phone number will be available to the press and the public. You will be contacted before any action is taken on your appointment.

Date: 11 FEB. 2013

Name: TIM SCHALE Home Telephone: 479-783-5366

Home Address: 3618 S. "O" ST. Work Telephone: 479-461-9726

Zip: 72903 Email: tschale@aol.com

Occupation: Landscape Architect Ar. Lic. #141.4963
(If retired, please indicate former occupation or profession)

Education: B.S. Landscape Architecture Okla. St.

Professional and/or Community Activities: Past President Ft. Smith Pride, Charter Member Nat Ar Urban Forestry Comm. River Valley Community Band Member

Additional Pertinent Information/References: Attended U.D.O. input meetings Recommended to serve by Pam Weber, City Dir.

Are you a registered voter in the City of Fort Smith? Yes ✓ No ___

Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?
Yes ___ NO ✓

If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.___

Drivers License [redacted] Date of Birth [redacted] This information will be [redacted] and check of all applicants).

I am interested in serving on the (please check):

( ) Audit Committee
( ) Advertising & Promoting Commission
( ) Airport Commission
( ) Arkansas Fair & Exhibition Facilities Bd
( ) Benevolent Fund Board
( ) Bldg. Bd. Of Adjustment and Appeals
( ) Central Business Improvement District
( ) Convention Center Commission
( ) Civil Service Commission
( ) Community Development Advisory Com.
( ) County Equalization Board
( ) Electric Code Board of Appeals & Appeals
( ) Fire Code Board of Appeals & Adjustments
( ) Historic District Commission
( ) Housing Assistance Board
( ) Housing Authority
( ) Library Bd of Trustees
( ) Mechanical Bd of Adjustments and Appeals
( ) Oak Cemetery Commission
( ) Outside Agency Review Panel
( ) Parking Authority
(✓) Parks & Recreation Commission
(✓) Planning Commission
( ) Plumbing Advisory Board
( ) Port Authority
( ) Property Owners Appeals Board
( ) Sebastian County Reg. Solid Waste Mgmt. Bd.
( ) Sister Cities Committee
( ) Transit Advisory Commission
( ) Residential Housing Facilities Board
(✓) Comprehensive Plan Steering Committee

CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

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Date: 2/11/13

Name: GREG SHIPLEY Home Telephone: 883-4185

Home Address: 9204 CANOPY OAKS DR. Work Telephone: 452-1933

Zip: 72903 Email: gshipley@morrisonshipley.com

Occupation: CIVIL ENGINEER / PRESIDENT OF MORRISON-SHIPLEY ENGINEERS, INC.
(If retired, please indicate former occupation or profession)

Education: BS in Civil Engineering - U of A 1988

Professional and/or Community Activities: UAFS STEM College Advisory Board, other local community service

Additional Pertinent Information/References: Ray Gosack, Keith Lav, Andre' Good, Wally Bailey, Brenda Andrews, Stan Snodgrass

Are you a registered voter in the City of Fort Smith? Yes V No ___

Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?
Yes ___ NO V

If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.

Drivers License [redacted] Date of Birth [redacted] is information will be u[redacted]nd check of all applicants).

I am interested in serving on the (please check):

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( ) Comprehensive Plan Steering Committee

CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

Note: As an applicant for a City Board, Commission or Committee, your name, address and phone number will be available to the press and the public. You will be contacted before any action is taken on your appointment.

Date: 3/12/2013

Name: Randall D. Swaim

Home Telephone: 479-883-2349

Home Address: 3213 So. 41st St.

Work Telephone: 479-201-2358

Zip: 72903

Email: randallswaim@yahoo.com

Occupation: Private Collections - Golden Living
(If retired, please indicate former occupation or profession)

Education: B.S. Business Admin

Professional and/or Community Activities: Reserve Deputy Sebastian County Sheriff Dept. Chairman + founder of FSP Officer Martinez Memorial Scholarship at UAFS.

Additional Pertinent Information/References: Mike Lorenz, Kevin Settle, Alie Bahsoon

Are you a registered voter in the City of Fort Smith? Yes X No ___
Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?
Yes___ NO X
If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.___
Drivers License [redacted] Date of Birth [redacted] (This information will be [redacted] check of all applicants

I am interested in serving on the (please check):

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( ) Advertising & Promoting Commission
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( ) Port Authority
( ) Property Owners Appeals Board
( ) Sebastian County Reg. Solid Waste Mgmt. Bd.
( ) Sister Cities Committee
( ) Transit Advisory Commission
( ) Residential Housing Facilities Board
( ) Comprehensive Plan Steering Committee

Attn. Wendy Beshears

CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

Note: As an applicant for a City Board, Commission or Committee, your name, address and phone number will be available to the press and the public. You will be contacted before any action is taken on your appointment.

Date: 3-2-13

Name: Kerri Taake Home Telephone: 479-646-2718

Home Address: 2932 Cliff Drive Work Telephone: 479-806-9064

Zip: 72901 Email: Kerri.bt@sbcglobal.net

Occupation: self employed-owner of Cheers previously taught school in Van Buren.
(If retired, please indicate former occupation or profession)

Education: Arkansas Tech University - El Ed

Professional and/or Community Activities: served in Junior League of Fort Smith, School Board of First Lutheran 8 years - Chaired last 2 years on board

Additional Pertinent Information/References:

I have owned two businesses in Fort Smith. I have owned a home in Fort Smith for 28 years.

Are you a registered voter in the City of Fort Smith? Yes ✓ No ___

Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?

Yes ___ NO ✓

If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.

Drivers License [redacted] Date of Bir[redacted] (This information will [redacted] d check of all applicant[redacted]

I am interested in serving on the (please check):

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( ) Airport Commission
( ) Arkansas Fair & Exhibition Facilities Bd
( ) Benevolent Fund Board
( ) Bldg. Bd. Of Adjustment and Appeals
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( ) Sister Cities Committee
( ) Transit Advisory Commission
( ) Residential Housing Facilities Board
( ) Comprehensive Plan Steering Committee

CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

Note: As an applicant for a City Board, Commission or Committee, your name, address and phone number will be available to the press and the public. You will be contacted before any action is taken on your appointment.

Date: 3/4/13

Name: Caleb Yerton Home Telephone: _____

Home Address: _____ Work Telephone: 788-4293

Zip: _____ Email: Caleb yerton@FNBFS.com

Occupation: Commercial Banker/ First National Bank of Fort Smith
(If retired, please indicate former occupation or profession)

Education: UofA Fayetteville BSBA - Finance

Professional and/or Community Activities: United Way Allocation Panel, Fort Smith Regional Chamber of Commerce Diamond Club

Additional Pertinent Information/References: Reference - San T. Sicard

Are you a registered voter in the City of Fort Smith? Yes X No ____
Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?
Yes____ NO X
If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.
Drivers License [redacted] Date of Birth [redacted] his information will b[redacted] ground check of all applicants)

I am interested in serving on the (please check):

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( ) Port Authority
( ) Property Owners Appeals Board
( ) Sebastian County Reg. Solid Waste Mgmt. Bd.
( ) Sister Cities Committee
( ) Transit Advisory Commission
( ) Residential Housing Facilities Board
( ) Comprehensive Plan Steering Committee

April 16, 2013

TO: Members of the Board of Directors
Members of the Airport Commission

RE: Appointments:

The term of Mac McGhee of the Airport Commission will expire June 30, 2013. In accordance with Ordinance No. 2926 applications for this prospective vacancy are now being received. Applicants must be residents and registered voters in the City of Fort Smith.

Please submit applications to the city administrator's office no later than the close of business on May 8, 2013. A list will be compiled for review by the Board of Directors. Applications are available on the City of Fort Smith website. Go to www.fortsmithar.gov and click on boards and commissions.

Sincerely,

Ray Gosack

Ray Gosack
City Administrator

623 Garrison Avenue
P.O. Box 1908
Fort Smith, Arkansas 72902
(479) 785-2801
Administrative Offices FAX (479) 784-2430

Printed on 100% Recycled Paper

April 16, 2013

TO: Members of the Board of Directors
Members of the Fort Smith Municipal Employees Benevolent Fund Board of Advisors

RE: Appointments:

The terms of Ricky Brooks, Mark Talley and Garry Cathcart of the Fort Smith Municipal Employees Benevolent Fund Board of Advisors will expire June 30, 2013. In accordance with Ordinance No. 2926 applications for these prospective vacancies are now being received. Applicants must be residents and registered voters in the City of Fort Smith.

Please submit applications to the city administrator's office no later than the close of business on May 8, 2013. A list will be compiled for review by the Board of Directors. Applications are available on the City of Fort Smith website. Go to www.fortsmithar.gov and click on boards and commissions.

Sincerely,

Ray Gosack

Ray Gosack
City Administrator

623 Garrison Avenue
P.O. Box 1908
Fort Smith, Arkansas 72902
(479) 785-2801
Administrative Offices FAX (479) 784-2430

Printed on 100% Recycled Paper

April 16, 2013

TO: Members of the Board of Directors
Members of the Community Development Advisory Committee

RE: Appointments:

The term of Yvonne Keaton Martin of the Community Development Advisory Committee will expire June 30, 2013. In accordance with Ordinance No. 2926 applications for this prospective vacancy are now being received. Applicants must be residents and registered voters in the City of Fort Smith.

Please submit applications to the city administrator's office no later than the close of business on May 8, 2013. A list will be compiled for review by the Board of Directors. Applications are available on the City of Fort Smith website. Go to www.fortsmithar.gov and click on boards and commissions.

Sincerely,

Ray Gosack

Ray Gosack
City Administrator

623 Garrison Avenue
P.O. Box 1908
Fort Smith, Arkansas 72902
(479) 785-2801
Administrative Offices FAX (479) 784-2430

Printed on 100% Recycled Paper

May 1, 2013

TO: Members of the Board of Directors
Members of the Outside Agency Review Panel

RE: Appointments:

Ms. Melissa Curry has resigned her position on the Outside Agency Review Panel effective April 30, 2013. In accordance with Ordinance No. 2926 applications for this prospective vacancy are now being received. Applicants must be residents and registered voters in the City of Fort Smith.

Please submit applications to the city administrator's office no later than the close of business on June 7, 2013. A list will be compiled for review by the Board of Directors. Applications are available on the City of Fort Smith website. Go to www.fortsmithar.gov and click on boards and commissions.

Sincerely,

Ray Gosack

Ray Gosack
City Administrator

623 Garrison Avenue
P.O. Box 1908
Fort Smith, Arkansas 72902
(479) 785-2801
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