

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
July 9, 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 JUNE 18, 2013 REGULAR MEETING

ITEMS OF BUSINESS:

1. Ordinance amending the 2009 Unified Development Ordinance of the City of Fort Smith *(correct verbiage for clarification)*
2. Ordinance ordering the owners of a certain dilapidated and substandard structure to demolish same, authorizing the City Administrator to cause the demolition of such structure to occur, and for other purposes *(4301 Wirsing Avenue)*
3. Ordinance amending Chapter 25, Article VII, of the Fort Smith Municipal Code to amend Section 25-261 regarding the definitions pertaining to solid waste services ~ *Settle/Good placed on agenda at the June 11, 2013 study session ~*

4. Resolution of the Board of Directors of the City of Fort Smith certifying local government endorsement of business (Answer Fort Smith, Inc.) to participate in the Tax Back Program (as authorized by Section 15-4-2706(d) of the Consolidated Incentive Act of 2003)
5. Consent Agenda
 - A. Resolution to accept the bids and authorize contract for the construction of Traffic Signal Improvements, Project No. 13-09-A (\$238,492.50 / *Engineering Department / Budgeted – Sales Tax Program Fund*)
 - B. Resolution accepting bid for the purchase of a vacuum jet cleaner truck (\$351,579.00 / *Utility Department / Budgeted – Capital Outlay Program*)
 - C. Resolution authorizing the Mayor to execute a re-plat of City property at Cisterna Villa in connection with the Chaffee Crossing Water Supply Improvements – Pump Station
 - D. Resolution accepting the bid of and authorizing the Mayor to execute a contract with Nebo Residuals Services, Inc. for the Lake Fort Smith and Lee Creek Water Treatment Plant Residuals Lagoon Cleaning (\$450,000.00 / *Utility Department / Budgeted - Water and Wastewater General Account*)
 - E. Resolution authorizing the Mayor to execute Authorization No. 2 to the agreement with Mickle Wagner Coleman, Inc. for engineering services for the Chaffee Crossing Sewer Pump Station and Force Main (\$40,326.00 / *Utility Department / Budgeted – 2008 Revenue Bonds*)
 - F. Resolution accepting the bid of and authorizing the Mayor to execute a contract with Forsgren, Inc. for the Chaffee Crossing Area F Sewer Extension (\$216,509.10 / *Utility Department / Budgeted – 2008 Revenue Bonds*)

OFFICIALS FORUM ~ presentation of information requiring no official action

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

- Mayor
- Directors
- City Administrator

ADJOURN

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 June 11, 2013, that said changes be made; and,

WHEREAS, three (3) copies of 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: Section 27-402(B) (1) of the Unified Development Ordinance is hereby amended as follows:

Where zoning district boundary lines are indicated as following alleys, streets, or railroads, the boundary lines are located and measured along the center line of the street right of way, railroad, or alley.

SECTION 2: 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



June 28, 2013

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

Re: Unified Development Ordinance Amendments

On June 11, 2013, the City Planning Commission held a public hearing to consider amendments to the Unified Development Ordinance.

Mr. Wally Bailey stated that these amendments are being requested in order to provide clarification on the location of district boundaries relative to streets, alleys and railroads and the proposed language will simply clarify where the boundary lines are measured. The change reflects past practice of mapping zoning boundary lines.

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

Chairman Sharpe called for the vote on the Unified Development Ordinance Amendments. The vote was 7 in favor and 0 opposed.

Respectfully Submitted,

CITY PLANNING COMMISSION

A handwritten signature in black ink that reads "Marshall S. Sharpe".

Marshall Sharpe, Chairman

MS/lp

cc: File
City Administrator

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

Memo

To: City Planning Commission
From: Planning Staff
Date: June 3, 2013
Subject: Zoning Ordinance Amendments – Unified Development Ordinance

Upon review of the proposed amended section Planning staff noticed some clarification was necessary. The proposed amendment clarifies the location of district boundaries relative to streets, alleys, and railroads. The proposed language simply clarifies where the boundary lines are measured.

All changes are highlighted on the attached page.

Should the Planning Commission agree, we ask that a recommendation be made to the Board of Directors to amend the UDO.

IA

JULY 2013

**AMENDMENTS TO THE UNIFIED DEVELOPMENT
ORDINANCE**

Plan Classification	New Zoning District	Existing Zoning District
		I-42-O I-43-O I-4-SPL
Other		
Park/Open Space/ Floodway	<ul style="list-style-type: none"> ▪ No districts - Floodway must be FEMA mapped ▪ Park/Open Space must be identified by owner as same 	F-1 Any zoning classification O-1
Institutional	No districts, land use classifications identifies existing institutional uses as may be permitted in any district	All residential zones TOS-1 TOS-2 I-1 I-2 I-3 C-5 C-5 (SPL A-D) C-6- SPL H-1

27-402 Zoning Map

- A. Adoption and Maintenance.** The location and boundaries of the zoning districts established by the Unified Development Ordinance are shown on the City of Fort Smith Zoning Map, which is maintained by the Planning and Zoning Department. The zoning map shall be considered a part of the Unified Development Ordinance by reference. If there is any dispute regarding the zoning classifications of properties which are subject to the Unified Development Ordinance regulations, the zoning map kept by the Planning and Zoning Department shall govern.
- B. Location of District Boundaries.** The following rules shall apply in interpreting zoning district boundaries when the location of such boundaries are unclear:
1. Where zoning district boundary lines are indicated as following **alleys, streets,** or railroads, the boundary lines are located and measured along the center line of the street right of way, **railroad, or alley.**

IB

ORDINANCE NO. _____

AN ORDINANCE ORDERING THE OWNERS OF CERTAIN DILAPIDATED AND SUBSTANDARD STRUCTURES TO DEMOLISH SAME, AUTHORIZING THE CITY ADMINISTRATOR TO CAUSE THE DEMOLITION OF SUCH STRUCTURES TO OCCUR, AND FOR OTHER PURPOSES.



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

SECTION 1: It is hereby determined by the Board of Directors that the hereinafter described tracts of real property, and the improvements located there, are dilapidated, unsafe and otherwise detrimental to the public health and constitute structural, fire and health hazards:

Street Address: 4301 Wirsing Avenue - S ½ Lot 7, Block 1; Fort Smith City

SECTION 2: The owners of the tracts of real property described in Section 1 are hereby ordered to remove or raze the improvements located on the said tracts of property and to remedy the unsightly and unsanitary conditions otherwise located on said tracts of real property within thirty (30) days from the date of this ordinance.

SECTION 3: With reference to any tract identified in Section 1 as to which compliance with the direction of Section 2 has not occurred within thirty (30) calendar days from the date of passage of this ordinance, the City Administrator is hereby authorized to execute a contract, based on the bid(s) accepted on the date of this action or at a later date, for the removal or razing of the described improvements on the tract of real property.

SECTION 4: The provisions of this ordinance are hereby declared to be severable to the extent that a decision by any court of competent jurisdiction determining that any portion of this ordinance or any application thereof is unconstitutional, invalid or otherwise illegal shall not affect the constitutionality, validity or legality of the other provisions and/or applications of the ordinance.

SECTION 5: Emergency Clause. It is hereby found and declared by the Board of Directors that the dilapidated, unsanitary condition of the tracts of real property and improvements described herein constitute an immediate menace to the health, welfare and safety of the citizens of the City so that an emergency is hereby declared and that this ordinance shall be effective from and after the date of its passage.

This Ordinance adopted this _____ day of _____ 2013.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to form:



Publish One Time



MEMORANDUM

Building Safety Division

TO: Ray Gosack, City Administrator

FROM: Jimmie Deer, Building Official

DATE: June 17, 2013

SUBJECT: Unsafe Structures

The following structures have been damaged and/or deteriorated to a condition that has caused the Building Department to condemn them. The property and the improvements, thereon are now, and for several months prior hereto, have been dilapidated, unsafe, unsightly, unsanitary, obnoxious and detrimental to the public welfare and are found to be in violation of the Ordinances of the City of Fort Smith.

The property descriptions and owners are:

4301 Wirsing Avenue- S1/2 Of Lot 7, Block 1; Fort Smith City Addition

Owners: Samniang Somphit
4301 Wirsing Avenue
Fort Smith, AR 72904

The owners of these properties have been notified according to the procedures outlined in Section 16-88 of the Fort Smith Municipal Code. The property owners were notified by certified mail and posting the same letters on the buildings. The letter or notice contains information concerning the appeal procedure outlined in Section 16-91 of the Municipal Code. The Code specifies that they must file any appeals within fifteen (15) days from the date of service. The owner(s) of the subject properties did not file an appeal within the fifteen (15) day period nor have they requested an appeal hearing since that deadline has passed.

4301 Wirsing Avenue- The water service has been disconnected since 2003. The structure has not had occupants for several years due to the condition. The structure has had a Property Maintenance file open since 8/28/2012 with staff working at locating the owners to repair damages to no avail. Due to the condition of the structure unsafe notices were sent out on May 15, 2013. As of today the owners have taken no action to obtain permits to repair or demolish the structure.

Therefore, I am recommending this matter be referred to the Board of Directors for their review. An Ordinance will be prepared that will order the property owners to demolish or repair the buildings within thirty (30) calendar days and if such work has not occurred, the staff will be authorized to have the structures removed.

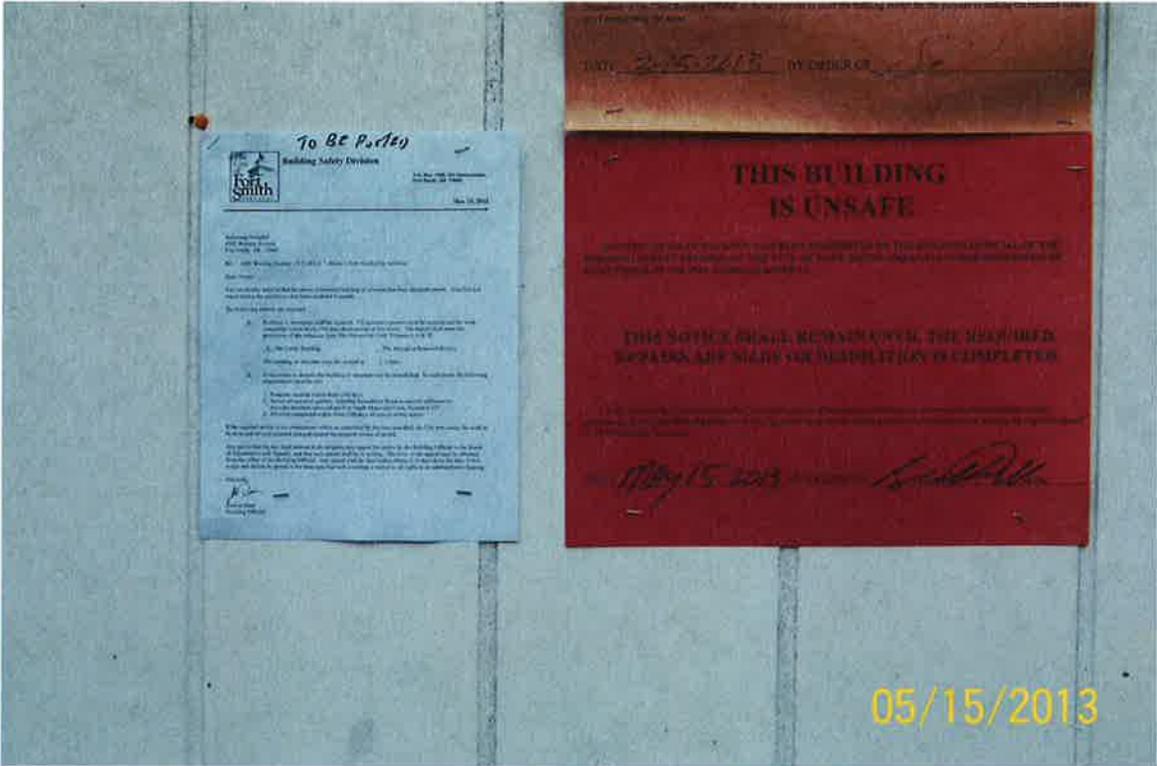
Please contact me if you have any questions or if we need to discuss this matter in more detail.

CC: Wally Bailey



4301 Wirsing Avenue

Online GIS Map



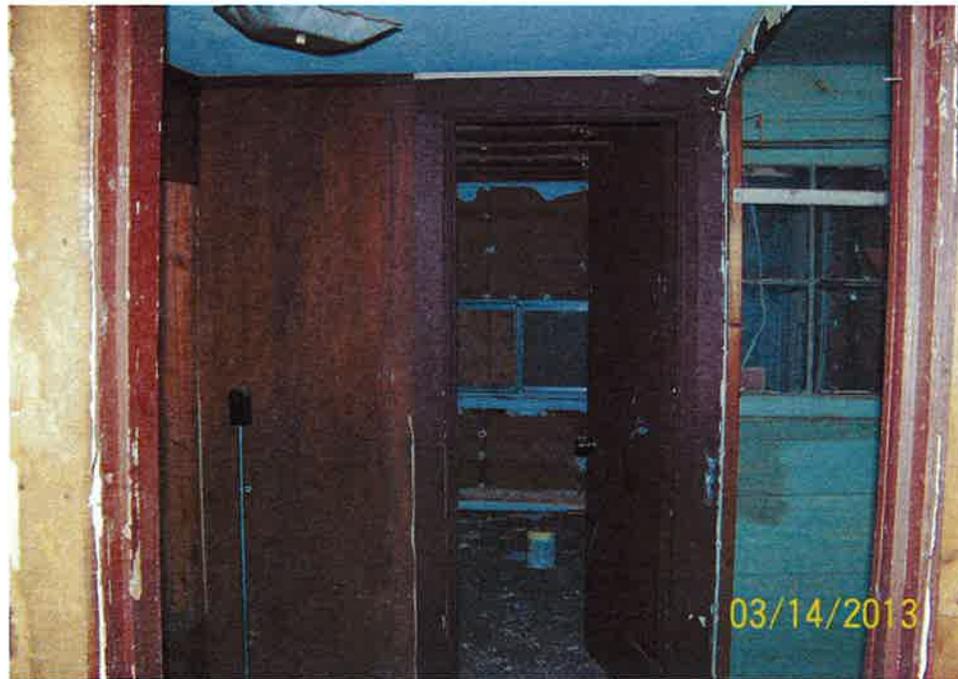
















Ordinance No. _____

AN ORDINANCE AMENDING CHAPTER 25, ARTICLE VII, OF THE FORT SMITH MUNICIPAL CODE TO AMEND SECTION 25-261 REGARDING THE DEFINITIONS PERTAINING TO SOLID WASTE SERVICES

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

Section 1: Chapter 25, Article VII, Section 25-261 of the Fort Smith Municipal Code is hereby amended to read as follows:

Sec. 25-261. Definitions.

For the purposes of this article, the following words or phrases shall have the meanings respectively ascribed to them:

Commercial customer shall mean any customer whose use of a premises owned, leased, occupied, or managed by such customer is for a purpose other than residential use or is a residential use consisting of more than four (4) residential living units per building structure for which solid waste is collected. Each owner or agent of a multi-family building structure of over four (4) living units shall have the option of being charged under residential or commercial collection rates, provided that a suitable container, as provided for in the definition above, is available.

Residential customer shall mean any customer whose use of premises owned, leased, occupied, or managed is for a residential purpose in a single-family building structure or multi-family building complexes with no more than four (4) living units per building structure.

Residential use shall mean any structure used principally as a place of habitation with facilities for living, sleeping, eating, cooking, and parking, whether owned, rented, or otherwise occupied by the occupants thereof, and shall include any single-family house as one (1) living unit, any duplex as two (2) living units, and triplex as three (3) living units, and any quadplex as four (4) living units. Any individual family unit within a multiplex shall be included as one (1) living unit.

This Ordinance adopted this 9th day of July, 2013.

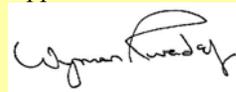
APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to Form



Publish One Time



MEMORANDUM

July 2, 2013

To: Ray Gosack, City Administrator

From: T. Baridi Nkokheli, Director

Subject: Residential Sanitation Services at Multiplexes

During the June 11, 2013 Board of Directors' Study Session, we discussed issues pertaining to residential solid waste collection services provided at residential structures with 2, 3, or 4 living units. We specifically discussed compliance issues relating to Fort Smith municipal code section 25-261.

Following an October 2012 review of our residential solid waste collection routes, we revealed that a number of multiplex properties were allowed to utilize commercial containers (dumpsters), provided by the Department of Sanitation or a third party, for residential purposes. Per municipal code, they should have been provided curbside residential collections and should have never been allowed to utilize commercial containers or third-party haulers.

As previously discussed, commercial containers (dumpsters) utilized in residential areas pose a number of concerns for citizens living in the immediate vicinity. The primary purpose of the municipal code relating to commercial containers is to keep commercial containers out of residential areas as much as possible due to a number of factors:

- Commercial containers are prone to litter due to overfilling and/or lids being left open. Users tend to place items on the ground around the containers when they are at capacity resulting in blowing debris.
- Certain "residential" solid waste items are prohibited from being placed in commercial containers. Items such as tree debris, grass clippings, Freon bearing appliances, paint, tires, and batteries require special handling.
- Use of the commercial containers by persons not authorized to use them.
- Commercial containers are often not secured or maintained in a sanitary manner by their users resulting in odorous and/or rank smells.

- The presence of commercial containers in residential areas can be unsightly.
- The collection process of commercial containers is loud and often results in noise complaints from residents living in the vicinity. Commercial collections typically begin as early as 4:00 a.m. to avoid traffic on major thoroughfares resulting in collections of commercial containers in residential areas being made prior to the 7:00 a.m. start time as prescribed in the residential municipal code.
- A commercial container utilized in a residential area requires an additional solid waste collection vehicle to enter the neighborhood multiple times each week impacting road surfaces and traffic conditions.

The majority of the solid waste definitions listed in Section 25-261 of the municipal code were established in 1976. The definitions require updating to accommodate contemporary multifamily structure designs and current solid waste collection services. Department staff recommends amending the language of the definitions, by the attached ordinance, as follows:

- **Commercial customer** shall mean any customer whose use of a premises owned, leased, occupied or managed by such customer is for a purpose other than residential use or is a residential use consisting of more than four (4) residential living units per building structure for which solid waste is collected ~~and billed to a single customer~~. Each owner or agent of a multi-family building structure of over four (4) units shall have the option of being charged under residential or commercial collection rates, provided that a suitable container as provided for in the definition above is available.
- **Residential customer** shall mean any customer whose use of premises owned, leased, occupied or managed is for a residential purpose in a single-family building structure ~~or duplex structure or~~ multi-family building complexes with no more than four (4) living units per building structure.
- **Residential use** shall mean any structure used principally as a place of habitation with facilities for living, sleeping, eating, cooking, and parking, whether owned, rented, or otherwise occupied by the occupants thereof, and shall include any single-family house as one (1) living unit, any duplex as two (2) living units, any triplex as three (3) living units, and any quadplex as four (4) living units. Any individual family unit within a multiplex shall be included as one (1) living unit.

Residential trash carts are the default method for solid waste collections at multiplexes provided the property meets the following criteria:

- The property design should allow proper space to allow fluid ingress and egress of fully-automated solid waste collection vehicles.
- The property should be clear of substantial obstacles, which may hinder curbside collections by fully-automated solid waste collection vehicles.

- The property should have enough space to accommodate multiple carts at the curb.
- The property should have ample storage space for the carts.
- Placing the carts curbside should not impede pedestrian walkways or motorists' line of sight view of oncoming traffic when entering or exiting the property.

Consideration will also be given to concerns posed by the property owners with regards to the type of collection method selected. Exceptions will be considered for unique circumstances; however, commercial containers will be a rare exception.

In summary, the staff recommends that all multiplexes receive residential solid waste collection services provided by the Department of Sanitation with automated carts unless that service delivery method is determined not practical by the Department based on the criteria outlined above.

The benefits of these recommendations include:

- Standardized solid waste collections in lower density residential areas.
- Fewer solid waste collection vehicles in neighborhoods.
- More opportunity for recycling.
- Fewer problems with uncollected bulky items.

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

A handwritten signature in black ink, appearing to be the initials 'NK'.

**Tax Back
Resolution**



RESOLUTION No. _____

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF BUSINESS TO PARTICIPATE IN THE TAX BACK PROGRAM (AS AUTHORIZED BY SECTION 15-4-2706(d) OF THE CONSOLIDATED INCENTIVE ACT OF 2003).

WHEREAS, in order to be considered for participation in the Tax Back Program, the local government must endorse a business to participate in the Tax Back Program; and

WHEREAS, the local government must authorize the refund of local sales and use taxes as provided in the Consolidated Incentive Act of 2003; and

WHEREAS, said endorsement must be made on specific form available from the Arkansas Economic Development Commission; and

WHEREAS, Answer Fort Smith, Inc., located at 5805 Hwy 271 South, Fort Smith, Arkansas has sought to participate in the program and more specifically has requested benefits accruing from construction and/or expansion of the specific facility; and

WHEREAS, Answer Fort Smith, Inc. has agreed to furnish the local government all necessary information for compliance.

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

1. Answer Fort Smith, Inc. be endorsed by the Board of Directors of the City of Fort Smith for benefits from the sales & use tax refunds as provided by Section 15-4-2706(d) of the Consolidated Incentive Act of 2003.
2. **The Department of Finance and Administration is authorized to refund local sales and use taxes to Answer Fort Smith, Inc.**
3. This resolution shall take effect immediately.

Mayor

Date Passed: _____

Attest: _____
City Clerk

Approved as to form:


NPR

Memo



To: Ray Gosack, City Administrator
From: Jeff Dingman, Deputy City Administrator
Date: 7/1/2013
Re: Tax Back Endorsement: Answer Fort Smith, Inc.

The City has received a request from the Arkansas Economic Development Commission and the Fort Smith Regional Chamber of Commerce for participation in the state "Tax Back" program authorized by the Consolidated Incentive Act of 2003 on behalf of Answer Fort Smith, Inc. This program allows for new or expanding businesses to request refunds of sales taxes paid on building materials, new equipment and other eligible expenses incurred due to construction and/or expansion.

The current request is on behalf of Answer Fort Smith, Inc., who plans to expand its Inbound Call Center facility located at 5805 Hwy 271 South in Fort Smith by investing \$1.7 million and adding 150 new jobs.

The Tax Back program is a state and local sales tax refund incentive to attract business growth or expansion to Arkansas. The incentive applies to capital purchases associated with construction of new facilities or expansion of existing facilities (such as equipment or building materials) and does not apply to ongoing purchases. The majority of the incentive will be derived from the state sales tax rate. However, in order to participate in the program, the local governments must also agree to the sales tax refund.

Attached is a resolution supporting the participation of Answer Fort Smith, Inc. in the "Tax Back" program, and the staff recommends approval. This action will support the board's stated goal of pursuing economic development and job creation.

Please contact me if you have questions regarding this agenda item.

RESOLUTION _____

**A RESOLUTION TO ACCEPT THE BIDS AND AUTHORIZE
CONTRACT FOR THE CONSTRUCTION OF
TRAFFIC SIGNAL IMPROVEMENTS
PROJECT NO. 13-09-A**

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

SECTION 1: The bid of Traffic Signals, Inc., received June 25, 2013, for the construction of Traffic Signal Improvements, Project No. 13-09-A, in the amount of \$238,492.50 be accepted.

SECTION 2: The Mayor is authorized to execute a contract with Traffic Signals, 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 July, 2013.

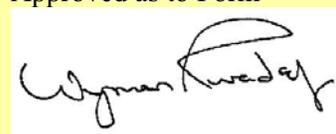
APPROVED:

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: July 1, 2013
SUBJECT: Traffic Signal Improvements
Project No. 13-09-A

The above subject project includes the complete replacement of all outdated traffic signal equipment and poles at the North 10th Street intersections with North "A" Street and North "B" Street. A location map is attached.

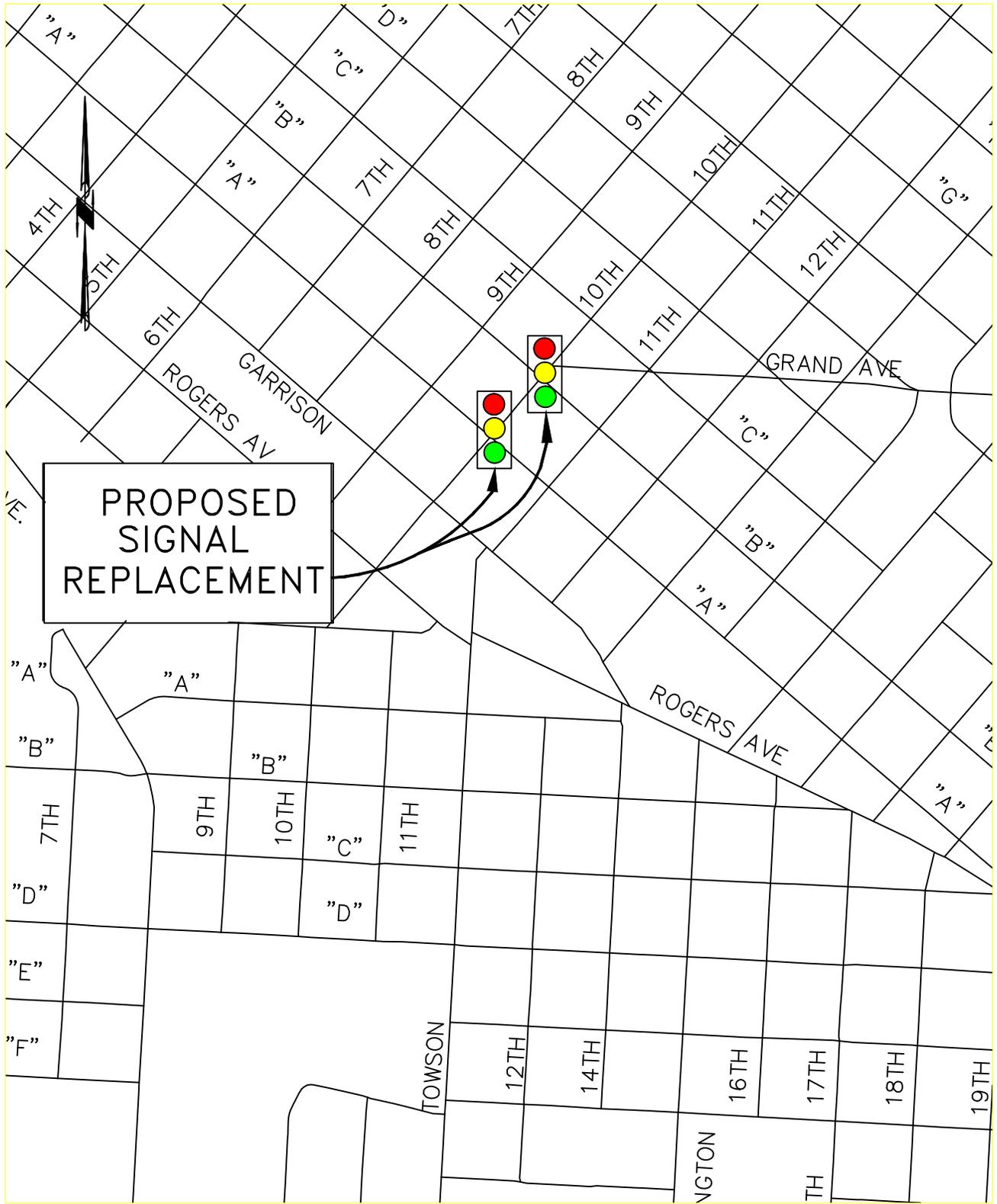
Construction plans and specifications were prepared by Traffic Engineering Consultants, Inc., of Oklahoma City, OK. An advertisement was published and bids were received on June 25, 2013. Five contractors requested plans and specifications and four bids were received which are summarized as follows:

CONTRACTOR	AMOUNT	CONTRACTOR	AMOUNT
1. Traffic Signals, Inc. Edmond, OK	\$238,492.50	3. Mid-State Traffic Control Oklahoma City, OK	\$266,811.50
2. All Service Electric Hot Springs, AR	\$251,954.45	4. Traffic & Lighting Oklahoma City, OK	\$286,491.95
Engineer's Estimate		\$290,000.00	

I recommend that the lowest bid be accepted and that the construction contract be awarded to Traffic Signals, Inc. The estimated notice to proceed date for this contract is August 12, 2013. Based on the contract duration of 150 days, the estimated completion date would be January 8, 2014.

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

Enclosure



2013 CAPITAL IMPROVEMENTS PROGRAM
SIGNAL IMPROVEMENTS



Project:	13-09-A
Date:	SEPT. 2012
Scale:	NONE
Drawn By:	MJL

RESOLUTION NO. _____

RESOLUTION ACCEPTING BID FOR THE PURCHASE OF A
VACUUM JET CLEANER TRUCK

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 vacuum jet cleaner
truck from Vac-Con, Inc. \$351,579, is accepted.

This Resolution adopted this _____ day of July, 2013.

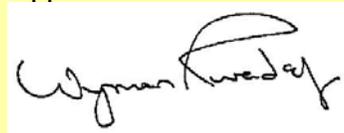
APPROVED:

MAYOR

ATTEST:

CITY CLERK

Approved as to form:



No Publication Required

Interoffice Memorandum

TO: Ray Gosack, City Administrator
COPY TO: Steve Parke, Director of Utilities
FROM: Alie Bahsoon, Purchasing Manager 
SUBJECT: Purchase of Vacuum Jet Cleaner Truck
DATE: June 24, 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 *U.S. Communities Government Purchasing Alliance*, a national organization for local government agencies to assist them in making better use of their collective purchasing powers and improving their overall purchasing effectiveness.

The Houston-Galveston Area Council (H-GAC) is a member of this alliance. Because of their contract, local governments nationwide are permitted to purchase through their cooperative purchasing program. The State of Arkansas has executed an "Inter-local Contract" with H-GAC through the U.S. Communities Government Purchasing Alliance.

The Sewer Line Maintenance Department has budgeted \$402,500 for this purchase. Funding has been appropriated for in the Capital Outlay Account (5611-304) of the 2013 City Budget. Because of the H-GAC contract, bids were not solicited and we are therefore acquiring this truck from Vac-Con, Inc. in the amount of \$351,579.

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

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

DATE: June 25, 2013

FROM: Steve Parke  Director of Utilities

SUBJECT: Sewer Jet Cleaning Truck Purchase
Operations Program 5611

The 2013 operating budget includes the purchase of a replacement sewer jet cleaning truck for the sewer line maintenance program 5611. Sewer line maintenance operates three jet cleaning trucks to clean sanitary sewer lines, pump station wet wells and miscellaneous facilities. The truck to be replaced is a 2001 Vac-Con and had an estimated 125,000 miles on the drivetrain and 10,957 hours on the auxiliary equipment as of June 24, 2013. About \$7,700 has been spent on repairs to this unit over the past twelve months and there is currently a pending repair estimate of \$9,000 to keep the unit in service. The increasing time that the truck is unavailable for work creates inefficiencies in the program's operations.

The 2013 budget established \$402,500 for the purchase of a replacement sewer jet cleaning truck. The price for the replacement truck and equipment was received at the amount of \$351,579.00. The purchasing department has prepared a Resolution authorizing this purchase for the Board's consideration.

Should you or members of the Board have any questions or desire additional information, please let me know.

cc: Jeff Dingman
Alie Bahsoon

RESOLUTION NO. _____

5 C

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A REPLAT OF CITY PROPERTY AT CISTERNA VILLA IN CONNECTION WITH THE CHAFFEE CROSSING WATER SUPPLY IMPROVEMENTS - PUMP STATION

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

The Mayor is hereby authorized to execute a replat of Lots 36 and 37, Cisterna Villa at Chaffee Crossing, for a water pump station site in connection with the Chaffee Crossing Water Supply Improvements - Pump Station, Project Number 12-04-P.

This Resolution adopted this ___ day of July 2013.

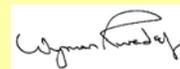
APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



npr

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

DATE: June 28, 2013

FROM: Steve Parke, Director of Utilities

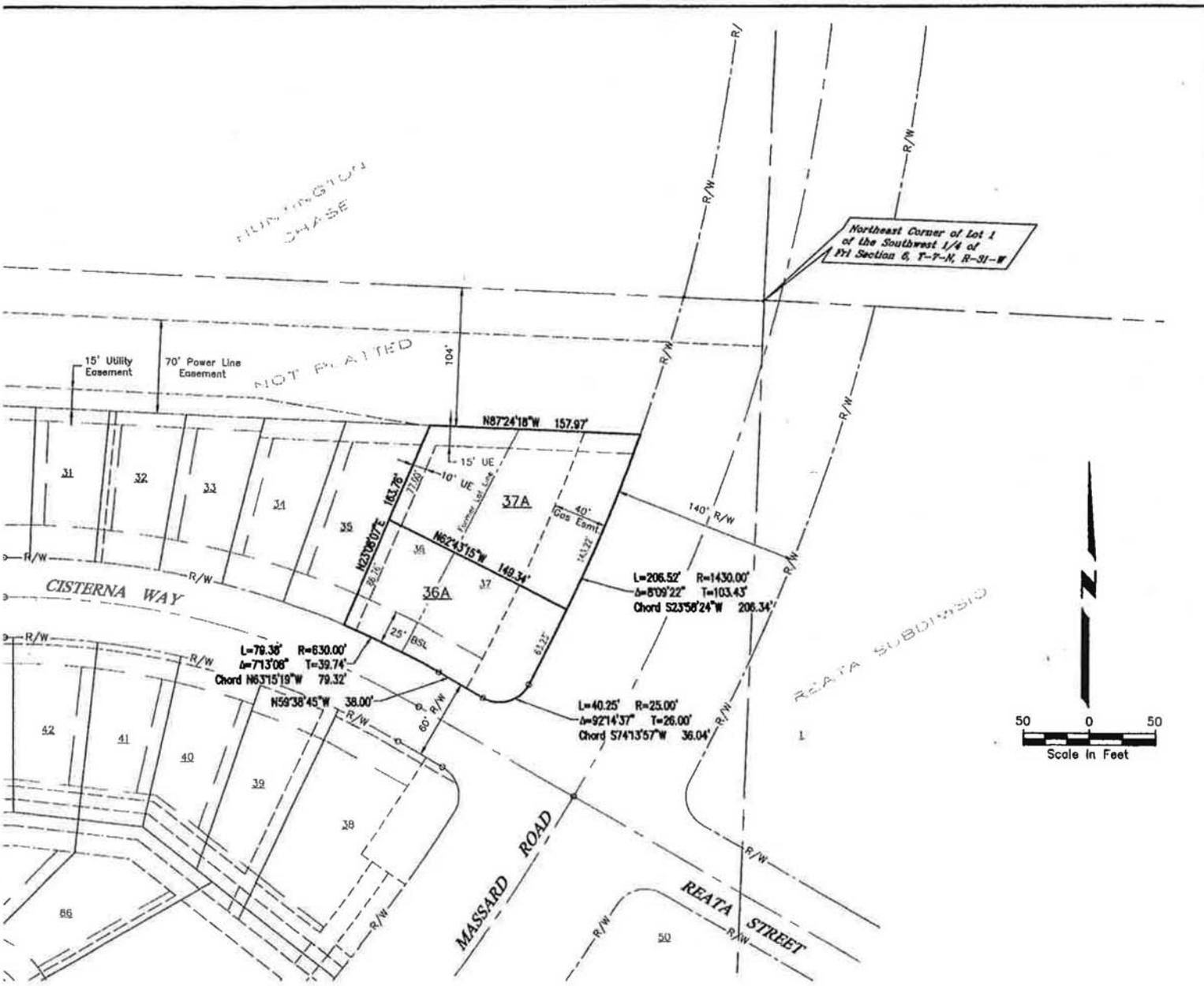
SUBJECT: Chaffee Crossing Water Supply Improvements - Pump Station
Project Number 12-04-P

As part of the overall water improvements project to Chaffee Crossing, the city is constructing a water pump station on property located at the intersection of Massard Road and Cisterna Way, Lots 36 and 37 of Cisterna Villa subdivision, purchased by the city for the pump station site. The pump station will require the use of the back portion of the two lots. The front portion of the two lots along the frontage of Cisterna Way is large enough to replat into a single lot for future residential construction. Staff is proposing a replat of Lots 36 and 37 into Lots 37A and 36A for the resale of Lot 36A upon completion of the pump station. The pump station is to be constructed on proposed Lot 37A. A copy of the proposed replat is attached.

Staff recommends that the Board approve the attached Resolution authorizing the Mayor to sign the replat to create Lots 36A and 37A, Cisterna Villa at Chaffee Crossing. Should you or the Board have any questions or desire additional information, please let me know.

attachment

pc: Jeff Dingman



CISTERNA VILLA at CHAFFEE CROSSING

Lots 36A And 37A

A Replat of Lots 36 and 37 of the Replat of Cisterna Villa at Chaffee Crossing,
 Being a part of Lots 1 and 2 of the Southwest Quarter (SW 1/4) of Fractional Section 6,
 Township 7 North, Range 31 West, Fort Smith, Sebastian County, Arkansas



MICKLE-WAGNER-COLEMAN, INC.
 Engineers Surveyors Consultants
 P.O. Box 1507 Fort Smith, Arkansas
 Scale: 1" = 50' June 2013

Owner and Developer
City of Fort Smith
 623 Garrison Avenue
 Fort Smith, Arkansas 72901

RESOLUTION NO. _____

5 D

RESOLUTION ACCEPTING THE BID OF AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH NEBO RESIDUALS SERVICES, INC., FOR THE LAKE FORT SMITH AND LEE CREEK WATER TREATMENT PLANT RESIDUALS LAGOON CLEANING

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

SECTION 1: The bid of Nebo Residuals Services, Inc., for the performance of the Lake Fort Smith and Lee Creek Water Treatment Plant Residuals Lagoon Cleaning, Project Number 13-06-C1, is hereby accepted.

SECTION 2: The Mayor is hereby authorized to execute a contract with Nebo Residuals Services, Inc., in the amount of \$450,000.00, for performing said services.

This Resolution adopted this _____ day of July 2013.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



npr

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

DATE: June 25, 2013

FROM: Steve Parke, Director of Utilities

SUBJECT: Lake Fort Smith and Lee Creek Water Treatment Plant
Residuals Lagoon Cleaning, Project Number 13-06-C1

Lake Fort Smith water treatment plant lagoon number one and Lee Creek water treatment plant lagoon numbers one and two has accumulated treatment residuals which needs to be removed. This project includes the removal and disposal of the material.

The lowest responsive bid was submitted by Nebo Residuals Services, Inc., in the amount of \$450,000.00. A bid tabulation showing the bidders and their bid amounts is attached. Funds are available within the department's water treatment program budget to pay for these services. A Resolution is attached which authorizes the award of the lagoon cleaning contract to Nebo Residuals Services, Inc.

Should you or members of the Board have any questions or desire additional information, please let me know.

attachment

pc: Jeff Dingman

Bid Tabulation Sheet

Project Name

Lake Fort Smith and Lee Creek Water Treatment Plant Residuals Lagoon Cleaning
Project Number 13-06-C1

Bid Opening

July 1, 2013
10:00 P.M.

Bids Received

Nebo Residual Services, Inc. Perryville, AR	\$ 450,000.00 _____
Terra Renewal Russellville,	\$ 729,576.49 _____
Reed Dozing & Contracting Sheldon, MO	\$ 774,400.00 _____
Goodwin & Goodwin, Fort Smith, AR	\$ No Bid _____
Merrell Bros, Inc. Kokomo, IN	\$ No Bid _____
Nutri Ject System, Inc. Hudson, IA	\$ No Bid _____

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AUTHORIZATION NUMBER TWO TO THE AGREEMENT WITH MICKLE WAGNER COLEMAN, INC., FOR ENGINEERING SERVICES FOR THE CHAFFEE CROSSING SEWER PUMP STATION AND FORCE MAIN

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

SECTION 1: A Resolution authorizing an Agreement and Authorization Number One with Mickle Wagner Coleman, Inc., for engineering services associated with the Chaffee Crossing Sewer Pump Station and Force Main, Project 13-04-ED1, was adopted on March 27, 2013.

SECTION 2: Authorization Number Two to the Agreement with Mickle Wagner Coleman, Inc., for providing construction phase services for the Chaffee Crossing Area F Sewer Extension, Project Number 13-04-EC1, said services being a part of the Chaffee Crossing Sewer Pump Station and Force Main Improvements, is hereby approved.

SECTION 3: The Mayor is hereby authorized to execute Authorization Number Two in the amount of \$40,326.00.

This Resolution adopted this _____ day of July 2013.

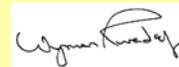
APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



npr

RESOLUTION NO. _____

5 F

RESOLUTION ACCEPTING THE BID OF AND AUTHORIZING THE MAYOR
TO EXECUTE A CONTRACT WITH FORSGREN, INC., FOR THE
CHAFFEE CROSSING AREA F SEWER EXTENSION

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

SECTION 1: The bid of Forsgren, Inc., for the construction of the Chaffee Crossing Area
F Sewer Extension, Project Number 13-04-C1, being part of the Chaffee Crossing Sewer Pump
Station and Force Main Improvements, is hereby accepted.

SECTION 2: The Mayor is hereby authorized to execute a contract with Forsgren, Inc.,
for an amount of \$216,509.10, for performing said construction.

This Resolution adopted this _____ day of July 2013.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



npr

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

DATE: June 24, 2013

FROM: Steve Parke, Director of Utilities

SUBJECT: Chaffee Crossing Area F Sewer Extension
Project Number 13-04-C1

On June 18th we received and opened five bids for construction of the Chaffee Crossing Area F Sewer Extension. The low bid was submitted by Forsgren, Inc., in the amount of \$216,509.10. A bid tabulation sheet is attached for your information.

This project is a part of the design of the Chaffee Crossing Sewer Pump Station and Force Main project authorized by the Board on March 27, 2013. The gravity sewer lines to be constructed under this project will ultimately divert wastewater flows to the smaller of two wastewater pump stations planned for Chaffee Crossing. The smaller pump station will serve the industrial area located within the vicinity of Chad Colley Boulevard and Roberts Boulevard and will be designated as Area F on the attached exhibit. The construction of this gravity sewer is an early start project to accommodate the Phoenix Metals Industrial development.

I have attached a Resolution authorizing a contract award to Forsgren, Inc., in the amount of \$216,509.10. I have also attached a Resolution approving Authorizing Number Two to the Agreement with Mickle Wagner Coleman, Inc., in the amount of \$40,326.00 for providing construction phase services. Funds for this project are available from the 2008 water and sewer revenue bonds.

Should you or members of the Board have question or need any additional information, please le me know.

attachment

pc: Jeff Dingman

Bid Tabulation Sheet

Project Name

Chaffee Crossing Area F Sewer Extension
Project Number 13-04-C1

Bid Opening

June 18, 2013
10:00 P.M.

Bids Received

Forsgren, Inc. Fort Smith, AR	<u>\$216,509.10</u>
Harris Co. Fort Smith, AR	<u>\$226,791.00</u>
Brothers Construction Van Buren, AR	<u>\$261,884.00</u>
Goodwin & Goodwin Fort Smith, AR	<u>\$273,396.50</u>
Crawford Construction Van Buren, AR	<u>\$314,183.25</u>

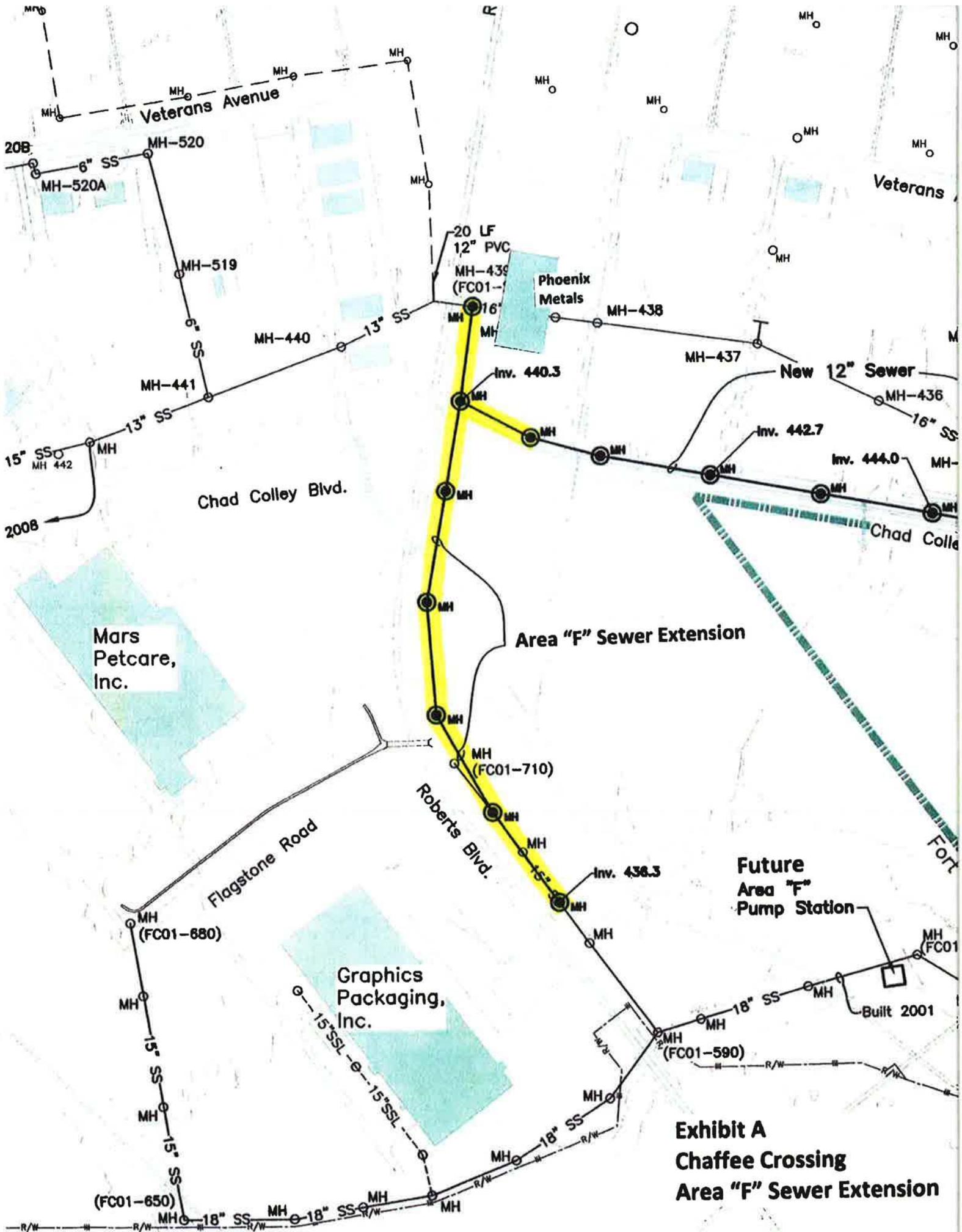


Exhibit A
Chaffee Crossing
Area "F" Sewer Extension



July 5, 2013

TO: Members of the Board of Directors
Members of the Property Owners Appeals Board

RE: Appointments:

The term of Mr. Joel Culberson on the Property Owners Appeals Board will expire July 14, 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 July 11th, 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,

A handwritten signature in blue ink that reads "Ray Gosack". The signature is written in a cursive style with a large, stylized "R" and "G".

Ray Gosack
City Administrator

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

July 2013

July 2013							August 2013						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28	29	30	31

Jun 30 - Aug 3		Jul 21 - 27		Jul 14 - 20		Jul 7 - 13		Jun 30 - Jul 6	
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Monday	Tuesday
Jun 30	Jul 1	2	3	4	5	6			
		11:30am Planning Com. Study Ses. (Creekmore)		8:00am 5:00pm CLOSED IN OBSERVANCE OF INDEPENDENCE DAY					
7	8	9	10	11	12	13			
		5:30pm Planning Com. (Creekmore) 6:00pm Board of Directors (FSM Public Schools Serv. Cntr.)	11:30am Parks Com. (Creekmore)	12:00pm Oak Cemetery Com. (Creekmore) 12:00pm Transit Adv. Com. (6821 Jenny Ld Ave.) 6:00pm HDC/Noting Session (Darby Commu					
14	15	16	17	18	19	20			
	6:00pm Ward 3 Neighborhood Mtg. (Senior Activity Cntr.)	4:00pm Library Bd. of Trustees (Main Library) 6:00pm Board of Directors (FSM Public Schools Serv. Cntr.)			6:00am 9:00pm Board Retreat (Mount Magazine)	9:00am 5:00pm Board Retreat (Mount Magazine)			
21	22	23	24	25	26	27			
		12:00pm Bd. of Directors Study Ses. (Main Library) 4:00pm A & P Com. (Miss Laura's) 5:30pm Airport Com. (Airport Adm. Off. Conf.		11:30am Housing Authority Com. (Beckman Cntr.) 5:30pm Historic Dist. S.S. (220 North 7 Street)					
28	29	30	31	Aug 1	2	3			

Beshpears, Wendy