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 – Tracy Pennartz
At Large Position 6 – Kevin Settle
At Large Position 7 – Don Hutchings

AGENDA

Fort Smith Board of Directors
REGULAR MEETING
April 7, 2015 ~ 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 214 AND ONLINE AT http://www.ustream.tv/channel/city-of-fort-smith-board-of-directors-meetings

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 MARCH 17, 2015 REGULAR MEETING

ITEMS OF BUSINESS:

1. Ordinance to provide for rates for services of the sanitary sewer system and superseding ordinances in conflict herewith *~ Tabled to the April 7, 2015 regular meeting at the March 17, 2015 regular meeting ~*

2. Ordinance amending charges for the Utility Assistance Program's residential sanitation services provided by the department of sanitation of the City of Fort Smith

3. Ordinance amending the 2009 Unified Development Ordinance of the City of Fort Smith *(Dumpster screening)*

4. 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 *(2800 Neis, 922 North 11th Street and 5203 Poplar)*

5. Consent Agenda

   A. Ordinance to abandon a sanitary sewer easement located in Wright Estates, Lot 1 an addition to the City of Fort Smith, Sebastian County, Arkansas (*2830 Country Club Avenue)*

   B. Resolution to accept the bid and authorize a contract for the Town Branch Drainage Improvements, Phase III, Project No. 11-06-B *($2,716,756.25 / Engineering Department/ Budgeted – Sales Tax Program)* ♦

   C. Resolution to accept the bid and authorize a contract for the construction of Traffic Signal Improvements, Project No. 14-09-A *($451,086.75 / Engineering Department / Budgeted – Sales Tax Program)* ♦

   D. Resolution authorizing an amendment to the engineering services agreement for the Geren Road Reconstruction, Project No. 15-02-A *($348,000.00 / Engineering Department / Budgeted – Sales Tax Program)* ♦

   E. Resolution accepting the bid for purchase of real property and authorizing the Mayor to execute a deed conveying real property interests (*8229 Cisterna Way)*

   F. Resolution authorizing the Mayor to execute Authorization No. 2 to the agreement with Brixey Engineering and Land Surveying, Inc. for engineering services for the Neighborhood Water System Improvements – Reduced Service Area *($77,400.00 / Utility Department / Budgeted – 2008 Revenue Bonds)* ♦

   G. Resolution accepting the bid of and authorizing the Mayor to execute a contract with Forsgren, Inc. for the Neighborhood Water System Improvements – Reduced Service Area *($954,734.18 / Utility Department / Budgeted – 2008 Revenue Bonds)* ♦

   H. Resolution accepting bid for the purchase of a rear loader *($229,057.92 / Department / Budgeted – Capital Outlay 6302-302)*

OFFICIALS FORUM ~ presentation of information requiring no official action

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

- Mayor
- Directors
- City Administrator

ADJOURN

ORDINANCE NO. _____ 1

AN ORDINANCE TO PROVIDE FOR RATES FOR SERVICES
OF THE SANITARY SEWER SYSTEM AND SUPERSEDING
ORDINANCES IN CONFLICT HEREWITH

BE IT ORDAINED AND ENACTED by the Board of Directors of the City of Fort Smith, Arkansas that:

SECTION 1: Ordinance No. 73-10 and prior sanitary sewer system rate ordinances are hereby repealed on the effective date of the rates established by this ordinance and replaced with the following:

Users of the sanitary sewer system shall be and are hereby required to pay monthly sewer user charges in accordance with the schedule set forth below. The user charge accrual shall commence on the date the customer makes the service connection or on the date the City's facilities are ready for use, whichever is later. If a customer receives water solely for irrigation purposes through a totally separate meter and system, or, if a customer receives water through a totally separate meter and system for other verifiable purpose and the water is not discharged into the sewer system, such water shall not be subject to charges under this ordinance.

Rate Schedule
Effective May 1, 2015

User Class	Unit	Dollars
Billing Charge	Per Account	$2.50
Volume Charge		
Residential	ccf	$5.35
Commercial	ccf	$5.35
Industrial	ccf	$5.35
High-Strength Charge (for strengths above 250 mg/l)		

BOD	lb.	$0.2803
TSS	lb.	$0.2137
Monitoring	Actual Cost	Actual Cost
Contract/Wholesale Users	ccf	$1.68
High-Strength Charge (for strengths above 250 mg/l)		
BOD	lb.	$0.2803
TSS	lb.	$0.2137
Monitoring	Actual Cost	Actual Cost

Effective January 1, 2016

User Class	Unit	Dollars
Billing Charge	Per Account	$3.50
Volume Charge		
Residential	ccf	$7.15
Commercial	ccf	$7.15
Industrial	ccf	$7.15
High-Strength Charge (for strengths above 250 mg/l)		
BOD	lb.	$0.3785
TSS	lb.	$0.2885
Monitoring	Actual Cost	Actual Cost
Contract/Wholesale Users	ccf	$2.27
High-Strength Charge (for strengths above 250 mg/l)		
BOD	lb.	$0.3785
TSS	lb.	$0.2885
Monitoring	Actual Cost	Actual Cost

Effective January 1, 2017

User Class	Unit	Dollars
Billing Charge	Per Account	$4.50
Volume Charge		
Residential	ccf	$8.50
Commercial	ccf	$8.50
Industrial	ccf	$8.50

High-Strength Charge (for strengths above 250 mg/l)		
BOD	lb.	$0.4504
TSS	lb.	$0.3433
Monitoring	Actual Cost	Actual Cost
Contract/Wholesale Users	ccf	$2.70
High-Strength Charge (for strengths above 250 mg/l)		
BOD	lb.	$0.4504
TSS	lb.	$0.3433
Monitoring	Actual Cost	Actual Cost

SECTION 2: For residential users only, a winter month's average will be used to calculate the metered water usage so that for the months of April through October a residential customer's sewer bill will be based upon the average monthly water usage during the previous five (5) months, i.e., November through March.

SECTION 3: This ordinance shall be in full force and in effect as of the effective date of the new rates established in Section 1 above, May 1, 2015.

PASSED AND APPROVED this _____ day of March 2015.

APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____publish once

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator **DATE:** March 31, 2015

FROM: Steve Parke, Director of Utilities

SUBJECT: Sewer Rate Ordinance Adoption

This item on the Board's agenda is to present the sanitary sewer rate ordinance for adoption. The attached sanitary sewer rate ordinance was introduced at the March 3, 2015, agenda meeting along with a resolution setting the matter for a public meeting on March 17. Following the public meeting of March 17, the consideration of the rate ordinance was tabled until the April 7 agenda meeting.

As part of the March 19 special study the Board discussed adjusting the sewer fund reserve to a 20-percent level rather than the 33-percent level as presented by the rate ordinance at the public meeting. The following table reflects the sewer rates based upon a sewer fund reserve of 20-percent:

		Effective		
Component	**Unit**	**May 2015**	**January 2016**	**January 2017**
Billing Charge (monthly)	Per Account	2.50	3.50	4.50
Volume Charge				
Residential	ccf	5.30	7.10	8.45
Commercial	ccf	5.30	7.10	8.45
Industrial	ccf	5.30	7.10	8.45
High-Strength (for strengths above 250 mg/l)				
BOD	lb.	0.2786	0.3762	0.4476
TSS	lb.	0.2124	0.2867	0.3412
Monitoring	Actual Costs	Actual Costs	Actual Costs	Actual Costs
Contract/Wholesale Users	ccf	1.68	2.26	2.69
High-Strength (for strengths above 250 mg/l)				
BOD	lb.	0.2786	0.3762	0.4476
TSS	lb.	0.2124	0.2867	0.3412
Monitoring	Actual Costs	Actual Costs	Actual Costs	Actual Costs

As the adoption of the sewer rate ordinance was tabled until April 7, reducing the time between adoption of the ordinance and the May 1 rate implementation date to less than 30 days, the Board must amend the ordinance to include the following emergency clause irrespective of the reserve funding considerations:

> Emergency Clause. It is hereby determined that the adoption and collection of the monthly sewer user charges set forth herein is essential to the proper operation and maintenance of the City's sanitary sewer system. Therefore, an emergency is declared so that the provisions of this Ordinance shall be in full force and effect as of passage and the user charges shall be effective as of the dates set forth herein.

The attached sanitary sewer rate ordinance presents the sewer rates as introduced on March 3 along with the resolution setting the public meeting for sewer rates on March 17. If the Board desires to

reduce the reserve fund level to 20-percent as discussed during the March 19 study session, in addition to amending the ordinance to include the above emergency clause, the amendment would need to also include adopting the rate adjustments as presented by the above table.

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

attachment

pc: Jeff Dingman

ORDINANCE NO._____

AN ORDINANCE AMENDING CHARGES FOR THE UTILITY ASSISTANCE PROGRAM'S 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: Section 2(d) of Ordinance No. 21-13 regarding the Utility Assistance Program rates established for residential sanitation services is hereby amended to read as follows:

(d) The rates for residential sanitation service for customers participating in the Utility Assistance Program shall be eighty-one (81) percent of the residential sanitation rates which would otherwise be paid by such customer as approved in the City of Fort Smith Municipal Code Section 25-99. The program rates shall be:

Residential	$10.46
City wide cleanup	$ 0.37
Total	$10.83

Section 2: 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.

PASSED AND APPROVED THIS _____ DAY OF March 2015.

APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED:

_____
City Attorney
Publish One Time

MEMORANDUM

March 16, 2015

TO: Ray Gosack, City Administrator

FROM: Jennifer Walker, Deputy Director of Finance

SUBJECT: Utilities Assistance Program – Correction to Sanitation Sewer Rate

The finance department has reviewed the Utilities Assistance Program details in preparation for an expected increase in inquiries in the coming months. During the review, it was noted that an amendment adopted by the Board of Directors during 2013 included an error in the reduced rate established for Sanitation Services for participants in the Assistance Program.

The Fort Smith Municipal Code Section 25-99 states "The rates for residential sanitation service for customers participating in the program shall be eighty-one (81) percent of the residential sanitation rates which would otherwise be paid by such customer." This is equivalent to a 19% discount in the standard residential base rate. However, the amended rates adopted in the Fort Smith Ordinance 21-13 included a reduced base rate for program participants of $11.25, which is 87% of the standard residential rate, or a 13% discount.

The proposed ordinance amends the reduced rate for residential sanitation services to $10.46, which is 81% of the standard rate (19% discount) as required in the Fort Smith Municipal Code Section 25-99.

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 March 10, 2015, that said changes be made; and,

WHEREAS, three (3) copies of April 2015 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 April 2015 Amendments to the Unified Development Ordinance 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 _____, 2015.

APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

Approved as to form:

_____
Publish One Time

March 31, 2015

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

Re: Unified Development Ordinance Amendments

On March 10, 2015, the City Planning Commission held a public hearing to consider an amendment to the Unified Development Ordinance.

Mr. Wally Bailey stated that the staff is proposing an amendment to the Unified Development Ordinance that would exempt multifamily development from screening individual trash cans provided by the Fort Smith Sanitation Department. Mr. Bailey noted that with the new automated collections, it is not possible or reasonable to screen each can; however, all multifamily developments with dumpsters will still be required to provide screening around the dumpster. Individual trash receptacles provided by the Fort Smith Sanitation Department shall not be required to be screened.

No one was present to speak either in support or in opposition to the proposed amendment.

Following a discussion by the Commission, Vice-Chairman Cox called for the vote on the proposed UDO amendments. The vote was 7 in favor and 0 opposed.

Respectfully Submitted,

CITY PLANNING COMMISSION

Brandon Cox

Brandon Cox, Vice-Chairman

BC/lp

cc: File
City Administrator

623 GARRISON AVENUE
P.O. BOX 1908
FORT SMITH, ARKANSAS 72902
(479) 784-2216
FAX (479) 784-2462

APRIL 2015

AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE

6. All trash receptacles shall be completely screened with a permanent opaque screen fence. Individual trash receptacles provided by the Fort Smith Sanitation Department shall not be required to be screened.

7. Outdoor lighting shall comply with Section 27-602-5.

8. A permanent opaque six-foot screening fence, wall or landscape buffer shall be provided along any side or rear property line adjacent to property developed or zoned single family including alleys.

E. Industrial Building Standards The following standards shall apply to industrial, storage and distribution buildings when constructed along major arterial or boulevard streets as classified by the master street plan, or adjacent to residential districts, and/or those buildings at the perimeter of an industrial subdivision.

1. Each primary entrance for employees or visitors that faces a public street should be emphasized through the use of differing colors or materials, arches, arcades or other architectural treatments.

2. All front facades of primary structures, all facades that face a public right-of-way, and all sidewall facades within forty (40) feet of the front façade, shall be made of masonry (brick, stone and/or stucco), tilt-up concrete panels (textured or untextured), wood, native stone, tinted glass, exterior insulated finished systems (EIFS), cementious siding (e.g., Hardie Board), or other siding materials as approved by the Director.

3. Facades of the primary structure should incorporate architectural relief through the use of at least two of the following tools: reveals, visible joint patterns, projected sills, belt courses, repeating brick header and stretcher courses, or differing colors and textures.

4. All primary structures with roofs with a pitch of less than 2:12 shall be screened by a parapet wall or fascia.

5. All trash receptacles shall be screened with a permanent opaque screening fence.

6. Outdoor lighting shall comply with Section 27-602-5.

7. Outdoor storage.

   a. Industrial-1 (I-1):

      1.Areas used for outdoor storage or display shall be maintained so that excessive dust, fumes or odors will not be produced by continued use.

DRAFT

PLANNING COMMISSION & BOARD OF ZONING ADJUSTMENT
MINUTES
ROSE ROOM
CREEKMORE PARK COMMUNITY CENTER
5:30 P.M.
March 10, 2015

On roll call, the following Commissioners were present: Brandon Cox, Rett Howard, Michael Redd, Bob Cooper, Richard Spearman, Don Keesee and Vicki Newton.

On roll call, the following Commissioner were not present: Marshall Sharpe and Jennifer Parks.

Vice Chairman Cox called for the vote on the Planning Commission minutes from the February 10, 2015, meeting. Motion was made by Commissioner Keesee, seconded by Commissioner Spearman and carried unanimously to approve the minutes as written.

Mr. Wally Bailey spoke on procedures.

1. **UDO**
   Wally Bailey read the staff comments indicating that proposed amendment would exempt multifamily development from screening individual trash cans provided by the Fort Smith Sanitation Department. With the new automated collections it is not possible to screen each can. All multifamily developments with dumpsters will still be required to provide screening. Individual trash receptacles provided by the Fort Smith Sanitation Department shall not be required to be screened.

   No one was present to speak relative to these proposed UDO Amendments.
   Following a discussion by the Commissioner, Vice Chairman Cox called for the vote on the proposed UDO Amendments. The vote was 7 in favor and 0 opposed.

2. **A request by Dubin Singer, agent for W.W.A. Company, Inc. for a Master Land Use Plan Amendment from Residential Detached to Commercial Neighborhood located at 4100 North o Street/1525 North Albert Pike.**

3. **Rezoning #2-3-15; A request by Dubin Singer, agent for W.W.A. Company, Inc. for a zone change from Residential Single Family Duplex Low/Medium Density (RSD-2) to Commercial Light (C-2) by Extension located at 4100 North O Street/1525North Albert Pike.**

4. **A request by Dubin Singer, agent for W.W.A. Company, Inc. for development plan approval for a neighborhood store (Family Dollar) located at 4100 North O Street/1525 North Albert Pike.**

4

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 tract 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: **5203 POPLAR STREET - LOT 13; KAISER ADDITION**

922 NORTH 11TH STREET- LOT 6, BLOCK 79; CITY ADDITION

2800 NEIS STREET-LOTS 11-12, BLOCK 22; BONNEVILLE #2 ADDITION

SECTION 2: The owners of the tract of real property described in Section 1 are hereby ordered to remove or raze the improvements located on the said tract of property and to remedy the unsightly and unsanitary conditions otherwise located on said tract 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_____2015.

APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

Approved as to form:

_____
Publish One Time

To: Ray Gosack, City Administrator

From: Jimmie Deer, Building Official

Date: March 20, 2015

Subject: Unsafe Structures

The following structures have been damaged and/or deteriorated to a condition that has caused the Building Safety Division to post them as unsafe structures. 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 owner are:

5203 Poplar – Lot 13, Kayser Addition

Owners: Mary E. Etzkorn
5203 Poplar
Fort Smith, AR 72904

922 N. 11th Street – Lot 6, Block 79; City addition

Owners: Gioi Van Nguyen
200 N. 20th Street
Fort Smith, AR 72901

2800 Neis Street – Lots 11-12, Block 22; Bonneville #2

Owners: Nita Kay Cox revocable Trust
1224 N. 55th Ter.
Fort Smith, AR 72904

Nita kay Cox revocable Trust
C/O Doyle Hopkins
2207 S. 40th street
Fort Smith, AR 72903

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 Fort Smith 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.

5203 Poplar – The structure burnt on March 14, 2014 and has been without water since March 26, 2014. Staff started trying to contact the owner about repairs or demolition on April 14, 2014 by regular and certified mail but no contact could be made. The property then changed hands on August 11, 2014 and staff started a new contact file and sent regular and certified mail and still has been unable to contact the owners. Unsafe notices were posted and letters sent out on January 28, 2015 and the letters came back unclaimed. As of today the owners have taken no action to obtain permits or demolish the structure.

2800 Neis Street – The Structure has been without water since March 2008. City staff has had an open Property Maintenance file open on this location since September 22, 2013 and working with the owner in getting the structure repaired. The owner took out a repair permit on April 1, 2014 but as of today nothing has been done. Unsafe notices were posted and letters sent out on February 18, 2015 and were signed for. I contacted the owner on March 11, 2015 and left a message in regard to the condition of the structure but as of today we have not heard back from the owner.

922 N. 11th Street – The structure has been without water since 2003. The structure burnt on January 25, 2015 and then again on March 2, 2015. Staff had sent the owners a letter after the first fire that the structure needed to be taken care of with no response from owner. Unsafe notices were posted and letters sent on February 18, 2015 and the letters were signed for then the structure burnt a 2nd time on March 2, 2015. I spoke with the owner on March 11, 2015 and he stated that they would be into obtain a demolition permit but as of today no permits have been obtained or demo work started on 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.

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N 54TH ST
ELM ST
5008
4118
4118
5108
ND ST

5203
THIS BUILDING
IS UNSAFE
THIS NOTICE SHALL REMAIN UNTIL THE REQUIRED
REPAIRS ARE MADE OR DEMOLITION IS COMPLETED
1-16-15
R Ruth
2015/01/29

Keep
2015/01/29

2015/01/29

Keep
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Tahoe
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2015/01/16

Public GIS Viewer
City of Fort Smith GIS

THIS BUILDING
IS UNSAFE
922
2015/02/19

2015/02/19

922 N. 11th St.

2015/03/02

2015/02/11

2015/02/11

2015/02/11

2015/02/11

2015/02/11

2015/02/11

THIS BUILDING
IS UNSAFE
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2015/02/11
CAUTION

2015/02/11

Public GIS Viewer
City of Fort Smith GIS
Export to PDF
Map Title
Subtitle
Set Map Title
NEIS ST
R-3-MF
RM-3
N 26TH ST
N 29TH ST
Measurement

To Be Posted
Fort Smith
To Be Posted
Fort Smith
2015/02/19

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2015/02/13

2800
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2015/02/13

2015/02/13

5A.

ORDINANCE NO. _____

AN ORDINANCE TO ABANDON
A SANITARY SEWER EASEMENT
LOCATED IN WRIGHT ESTATES, LOT 1
AN ADDITION TO THE CITY OF FORT SMITH, SEBASTIAN COUNTY, ARKANSAS

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

SECTION 1: The City of Fort Smith, Arkansas hereby releases, vacates and abandons all its rights together with the rights of the public generally to a sanitary sewer easement located in the hereinafter described real property:

A strip of land 10 feet wide, the center line of which is described as follows: Beginning at a point 394 feet West of the Northeast corner of the Northwest Quarter of the Northwest Quarter, Section 27, Township 8 North, Range 32 West, thence South 334.0 feet to a point on the South property line said point being 394.0 feet West of and 343.0 feet South of said Northeast corner.

The sanitary sewer easement being released, vacated and abandoned is no longer required for municipal corporate purposes.

SECTION 2: A copy of the Ordinance duly certified by the City Clerk shall be filed with the Office of the Recorder of the County and recorded in the deed records of the County.

PASSED AND APPROVED THIS _____ DAY OF APRIL 2015.

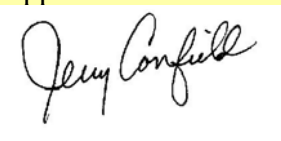
APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

Approved as to form:



_____NPR

Memo

To: Ray Gosack, City Administrator

From: Wally Bailey, Director of Development Services

Date: 4/1/2015

Re: Request for Sanitary Sewer Easement Abandonment
Wright Estates, Lot 1 (2830 Country Club Avenue)

The City is in receipt of the enclosed request from Philip Leraris, P.E., L.S., agent, for Dr. John Wright, to abandon a 10' sanitary sewer easement at 2830 Country Club Avenue. A vicinity map is enclosed showing the property location. The sewer line and easement to be abandoned is under an existing pool and pool house.

Dr. Wright has constructed a new 6" sewer line and dedicated a new easement for the line with the Wright Estates plat. The new sewer line has been inspected and accepted by the city. The sewer easement proposed for abandonment and the new 20' sewer easement are shown on Exhibit A - Wright Estates, Lots 1 & 2.

There are no objections to the request from City Departments. Enclosed for the Board's consideration is an ordinance authorizing the abandonment of the easement.

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

Enc.

CITY OF FORT SMITH, ARKANSAS
REQUEST FOR ABANDONMENT OF PUBLIC UTILITY EASEMENT

APPLICATION:

Indicate one contact person for application: _____Applicant ✓ Representative

Applicant (owner)

Name: DR. JOHN D. WRIGHT

Address: 600 S 21ST
FORT SMITH, AR 72901

Telephone Number: 479-274-6750

E-Mail:

Representative (engineer, attorney, realtor, etc)

Name: PHIL LERARIS
PHILIP J. LERARIS, PE, LS

Address: P.O. BOX 11123
FORT SMITH, AR 72917

Telephone Number: 479-452-5822

E-Mail: PLERARIS@GMAIL.COM

Site Address/Location: 2830 COUNTRY CLUB AVE. FORT SMITH, AR

Legal Description of easement(s) to be vacated: (attach separate sheet if necessary):
SEE ATTACHMENT - EXHIBIT A - EASEMENT BOOK 229, PG 401-403

Reason for Request: 2830 & 3000 COUNTRY CLUB AVE. PROPERTIES ARE BEING PLATTED AS WRIGHT ESTATES, LOTS 1 & 2. A NEW 6" SANITARY SEWER LINE WAS CONSTRUCTED WHEREBY IT WAS RELOCATED OUT FROM UNDER EXISTING IMPROVEMENTS. AS THE ORIGINAL EASEMENT WAS CREATED BY BOARD ACTION, CITY UTILITIES DETERMINED THAT IT MUST BE ABANDONED BY BOARD OF DIRECTORS.

~~Current Status of Easement(s):~~ CURRENT STATUS OF EASEMENT IS ACTIVE. MINOR PLATTING OF WRIGHT ESTATES CREATING NEW SANITARY SEWER EASEMENT IS UNDER REVIEW.

APPLICANT/REPRESENTATIVE: I certify under penalty of perjury that the foregoing statements and answers herein made, all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval.

Name: (printed) PHIL LERARIS

Signature: _____ Date: MARCH 13, 2015

Property Owner(s)/Authorized Agent: *I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is subject of this application and that I/we have read this application and consent to its filing.* **Note: If application is signed by authorized agent, all owners must sign and submit "Authorization of Agent" form.**

Vicinity Map
2830 Country Club Avenue

1:2,848

Limts

nts

0 0.0325 0.065

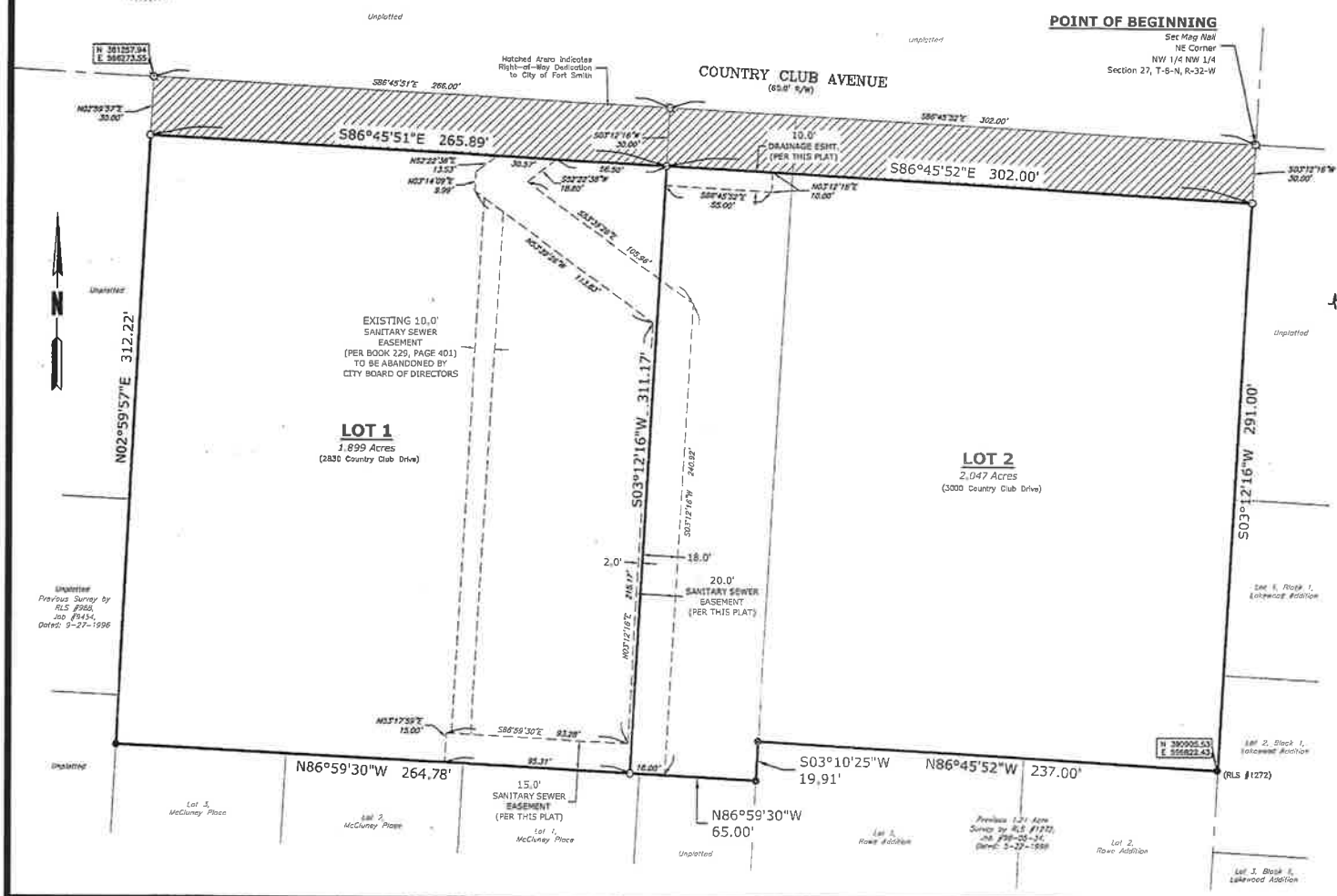
0 0.05 0.1

WRIGHT ESTATES
LOTS 1 & 2

BEING PART OF THE NW 1/4 NW 1/4 OF SECTION 27, T-8-N, R-32-W
FORT SMITH, SEBASTIAN COUNTY, ARKANSAS

CERTIFICATE OF AUTHORIZATION
ANDERSON SURVEYING INC.
No. 1691
ARKANSAS

NOTE:
ADDRESSES ARE SHOWN IN PARENTHESES



PLAT CERTIFIED CORRECT:

ANTHONY P. ANDERSON
AR R.P.L.S. #1272

STATE OF ARKANSAS
COUNTY OF SEBASTIAN

Sworn and Subscribed
Before me this 13TH day of MARCH, 2015
Notary Public
My Commission Expires MAY 12, 2020

PHILIP J LEMARIE
NOTARY PUBLIC-STATE OF ARKANSAS
SEBASTIAN COUNTY
My Commission Expires 05-12-2020
Commission # 12376871

ALLOTTERS:

JOHN DANA WRIGHT

PLANNING COMMISSION APPROVAL
Date: March 27, 2015
Chairman:
Secretary:

FILED
MAR 27 2015
SHARON BROOKS
County Clerk & Recorder
BY

FILED FOR RECORD
this 27th day of March, 2015
at 3:10 o'clock P.M.
Clerk and Ex-Officio Secretary SHARON BROOKS
By

THE RIGHT-OF-WAY AS SHOWN ON THIS PLAT IS HEREBY DEDICATED TO THE CITY OF FORT SMITH ("CITY") FOR PUBLIC USE. THE EASEMENTS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE CITY FOR UTILITY, DRAINAGE, ACCESS, AND OTHER PURPOSES. ANY EASEMENT DESIGNATED AS A "UTILITY EASEMENT" IS DEDICATED TO THE CITY FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF CITY-OWNED UTILITIES AND UTILITIES INCLUDING CABLE TV, OPERATED BY UTILITY COMPANIES HAVING A FRANCHISE AGREEMENT WITH THE CITY. THE CITY AND CITY FRANCHISED UTILITY COMPANIES SHALL HAVE ACCESS THROUGH AND ALONG DESIGNATED EASEMENTS FOR THEIR PERSONNEL AND EQUIPMENT AT ALL TIMES WITH THE AUTHORITY TO CUT DOWN AND KEEP TRIMMED FOR THE DEDICATED EASEMENTS TREES, HEDGES AND SHRUBS THAT MAY INTERFERE WITH OR ENDANGER SUCH UTILITIES. IN THE EVENT THAT FENCING OF INDIVIDUAL LOTS IS DESIRED, GATES THAT PROVIDE FREE INGRESS AND EGRESS TO, AND WITHIN THE DEDICATED EASEMENTS SHALL BE PROVIDED.

SURVEY DESCRIPTION:
PART OF THE NORTHWEST QUARTER (NW ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 27, TOWNSHIP 8 NORTH, RANGE 32 WEST, CITY OF FORT SMITH, SEBASTIAN COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A SET MAG NAIL MARKING THE NORTHEAST CORNER OF SAID NW ¼ NW ¼; THENCE S03°12'16"W, ALONG THE EAST LINE OF SAID NW ¼ NW ¼, 321.00 FEET TO AN EXISTING ½" REBAR MARKING THE NORTHEAST CORNER OF A PREVIOUS 1.21 ACRE SURVEY BY RLS #1272, JOB #98-05-34, DATED: 5-22-1998; THENCE N86°45'52"W, ALONG THE NORTH LINE OF SAID PREVIOUS 1.21 ACRE SURVEY, 237.00 FEET TO AN EXISTING REBAR MARKING THE NORTHWEST CORNER OF SAID PREVIOUS 1.21 ACRE SURVEY; THENCE S03°10'25"W, ALONG THE WEST LINE OF SAID PREVIOUS 1.21 ACRE SURVEY, 19.91 FEET TO AN EXISTING IRON PIN; THENCE N86°59'30"W, LEAVING SAID WEST LINE OF PREVIOUS 1.21 ACRE SURVEY, 65.00 FEET TO A SET ½" REBAR; THENCE N86°59'30"W 264.78 FEET TO AN EXISTING IRON PIN; THENCE N02°59'57"E 342.22 FEET TO A SET MAG NAIL ON THE NORTH LINE OF SAID NW ¼ NW ¼ OF SECTION 27; THENCE S86°45'51"E, ALONG SAID NORTH LINE OF NW ¼ NW ¼, 266.00 FEET TO A SET MAG NAIL; THENCE S86°45'52"E 302.00 FEET TO THE POINT OF BEGINNING, CONTAINING 4.337 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 #15-02-24.

REVISIONS	DATE

Legend
- Set 1/2" Rebar
- Existing Iron Pin/Pipe
- Set RR/Spike
- Existing RR/Spike
- Set Nail
- Existing Nail
- Power Pole
- Existing Fence
- Tele/Elec. Pedestal
- Water Meter
- Gas Meter
- Light Pole

REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF ARKANSAS
NO. 1272
SIGNATURE
ANTHONY P. ANDERSON

OWNER/DEVELOPER
John Dana Wright
600 South 21st Street
Fort Smith, AR 72901

FORT SMITH, SEBASITAN COUNTY, ARKANSAS
SURVEY OF
WRIGHT ESTATES, LOTS 1 & 2,
BEING PART OF THE NW 1/4 NW 1/4 OF
SECTION 27, T-8-N, R-32-W

DATE: 3-9-2015
JOB NO: 15-02-24
SCALE: 1"=40'

BASIS OF BEARING:
Arkansas State Plane NORTH
based on GPS observation

ANDERSON SURVEYING INC
Arkansas -- Oklahoma
P.O. Box 129
Van Buren, AR 72957
(479)-474-4247
Fax (479)-410-5333
e-mail: andersonsurveying@cox.net

EXHIBIT A

C:\Project\15-02-24\15-02-24_FINAL PLAT.dwg, 3/9/2015 8:03:13 AM, Z.J.W.

P2017

5B

RESOLUTION _____

A RESOLUTION TO ACCEPT THE BID AND AUTHORIZE A CONTRACT FOR THE TOWN BRANCH DRAINAGE IMPROVEMENTS, PHASE III
PROJECT NO. 11-06-B

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

SECTION 1: The bid of Forsgren, Inc. received March 31, 2015 for the Town Branch Drainage Improvements, Phase III, Project 11-06-B, in the amount of $2,716,756.25 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 April, 2015.

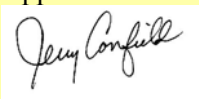
APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

Approved as to Form



_____

☐ No Publication Required

Memorandum

TO: Ray Gosack, City Administrator

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

DATE: March 31, 2015

SUBJECT: Town Branch Drainage Improvements, Phase III
Project No. 11-06-B

This project consists of drainage improvements to reduce the frequency of flooding that occurs in the downtown area and areas just north of downtown. The work includes improving the upstream outfall beginning at the South G Street/Towson intersection and extending to the west and south ultimately flowing into Mill Creek. This outfall is restricted which is contributing to the flooding in the downtown areas. The project also includes reconstruction of drainage inlets along the east side of Towson Avenue between South A and D Streets to allow those inlets to intercept more stormwater runoff. The location of the proposed project is shown on the attached exhibit.

Construction plans and specifications were prepared by CDM Smith of Little Rock and Hawkins Weir Engineers of Van Buren. An advertisement was published and bids were received on March 31, 2015. Ten contractors requested plans and specifications and four bids were received which are summarized as follows:

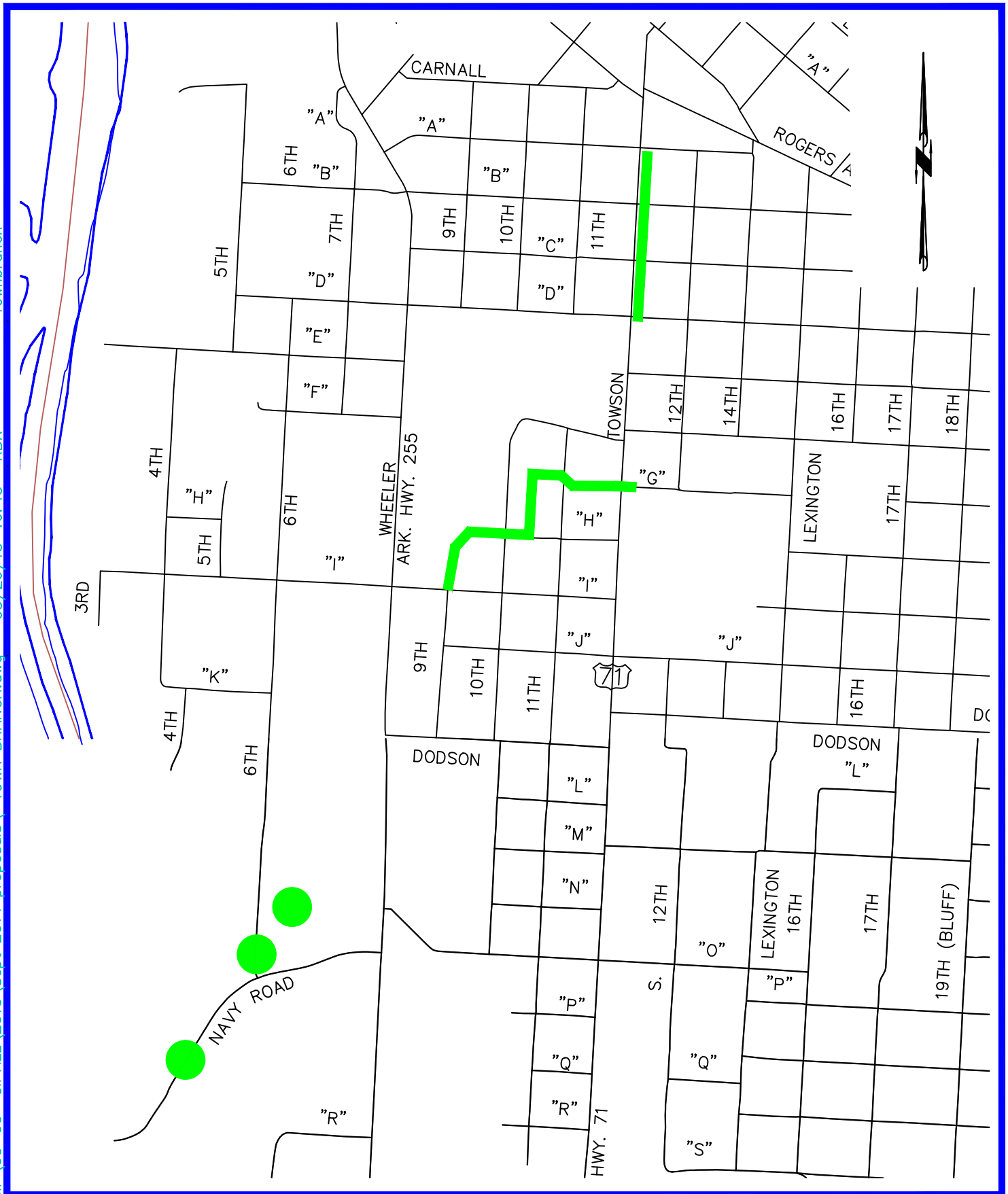
CONTRACTOR	AMOUNT	CONTRACTOR	AMOUNT
1. Forsgren, Inc. Fort Smith, AR	$2,716,756.25	4. Township Builders Van Buren, AR	$3,141,972.00
2. Mobley Contractors Morrilton, AR	$2,942,560.08	*Engineer's Estimate*	*$2,800,000.00*
3. Steve Beam Construction Fort Smith, AR	$3,069,729.50		

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 May 11, 2015. Based on the contract duration of 210 days, the estimated completion date would be December 6, 2015.

This project aligns with the comprehensive plan policies FLU-1.4 (Ensure adequate, well-maintained infrastructure, public safety, and public facilities for all development and prevent development ahead of infrastructure and service provision), TI-5.1 (Continue to ensure that customers within Fort Smith have access to reliable water, sewer, drainage, solid waste services by reducing or eliminating deficiencies and gaps in infrastructure systems), TI-5.2 (Ensure that utility and infrastructure systems can meet the city's long-term needs) and NCR-2.6 (Reduce stormwater runoff and flooding).

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

Enclosures



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TOWNBRANCH
DRAINAGE IMPROVEMENTS
PHASE III

The City of Fort Smith ARKANSAS

Project:	11-06-B
Date:	JAN. 2015
Scale:	NONE
Drawn By:	RBR

RESOLUTION _____

A RESOLUTION TO ACCEPT THE BID AND AUTHORIZE A CONTRACT FOR THE CONSTRUCTION OF TRAFFIC SIGNAL IMPROVEMENTS
PROJECT NO. 14-09-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 March 31, 2015, for the construction of Traffic Signal Improvements, Project No. 14-09-A, in the amount of $451,086.75 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 April, 2015.

APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

Approved as to Form

_____

☐ No Publication Required

Memorandum

TO: Ray Gosack, City Administrator

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

DATE: March 31, 2015

SUBJECT: Traffic Signal Improvements
Project No. 14-09-A

The above subject project includes the complete replacement of all outdated traffic signal equipment and poles at the Midland Boulevard/North 32nd Street /Johnson Street intersection and the Towson Avenue/Fresno Street intersection. 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 March 31, 2015. Five contractors requested plans and specifications and three bids were received which are summarized as follows:

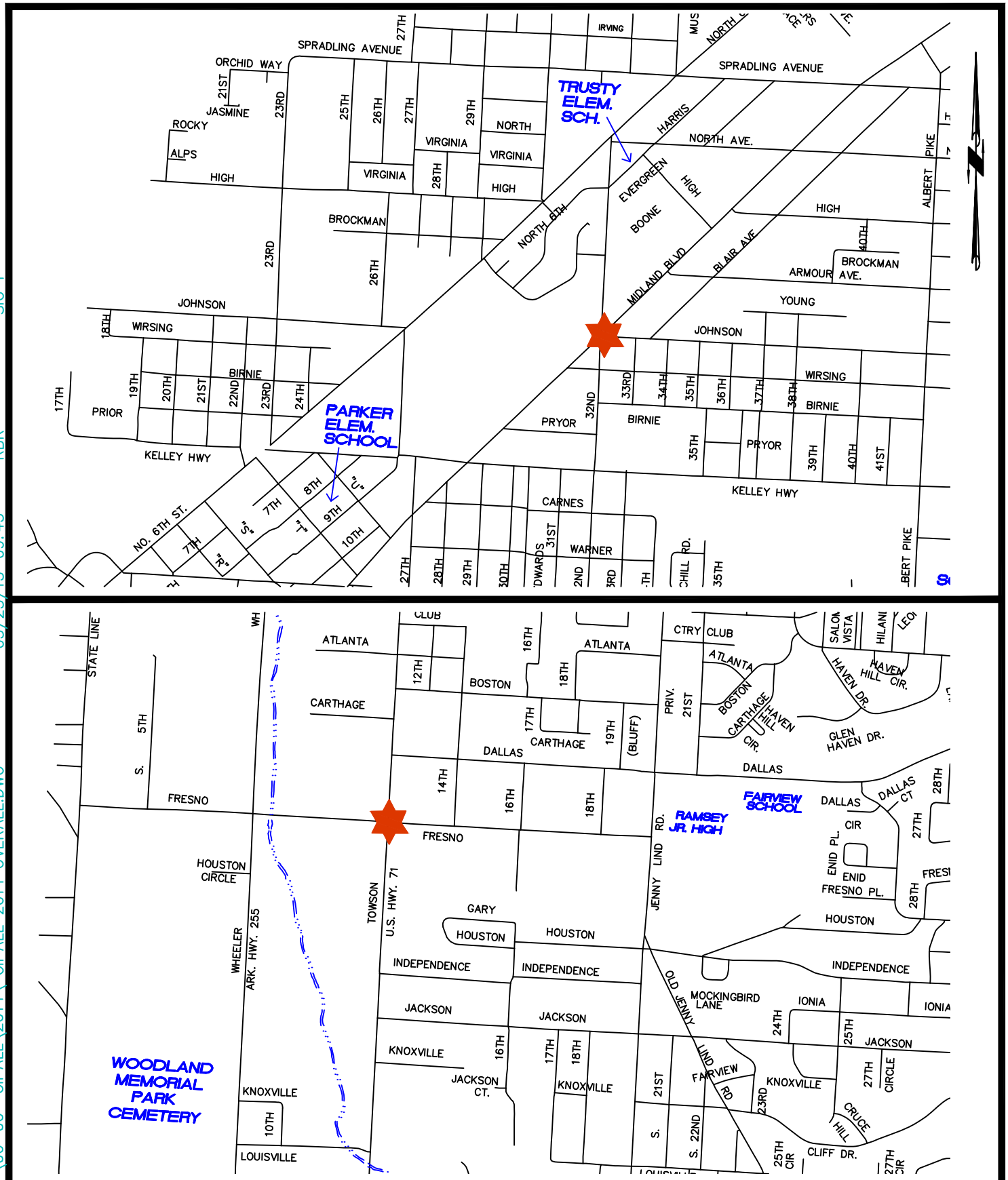
CONTRACTOR	AMOUNT	CONTRACTOR	AMOUNT
1. Traffic Signals, Inc. Edmond, OK	$451,086.75	3. MidState Traffic Control Oklahoma City, OK	$520,292.50
2. Traffic & Lighting Systems, Inc. Oklahoma City, OK	$453,617.00	*Engineers Estimate*	*$475,000.00*

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 May 11, 2015. Based on the contract duration of 180 days, the estimated completion date would be November 6, 2015.

This project is also in alignment with the comprehensive plan policies FLU-1.4 (Ensure adequate, well-maintained infrastructure, public safety, and public facilities for all development and prevent development ahead of infrastructure and service provision) and TI-5.2 (Ensure that utility and infrastructure systems can meet the city's long-term needs).

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

Enclosures



2014 CAPITAL IMPROVEMENTS PROGRAM

SIGNAL IMPROVEMENTS

The City of Fort Smith ARKANSAS

Project:	14-09-A
Date:	MARCH 2015
Scale:	NONE
Drawn By:	RBR

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RESOLUTION _____

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE ENGINEERING SERVICES AGREEMENT FOR THE GEREN ROAD RECONSTRUCTION
PROJECT NO. 15-02-A

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

SECTION 1: Amendment No. 1 to the engineering services agreement with Hawkins Weir Engineers, Inc. for the Geren Road Reconstruction, Project 15-02-A, which increases the contract amount by $348,000.00 to an adjusted contract amount of $422,000.00, is hereby approved.

SECTION 2: Payment for engineering services, authorized by Section 1, is hereby authorized from the Sales Tax Fund (1105).

This resolution adopted this _____ day of April, 2015.

APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

Approved as to Form

_____

☐ No Publication Required

Memorandum

TO: Ray Gosack, City Administrator

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

DATE: March 31, 2015

SUBJECT: Geren Road Reconstruction – Highway 45 to South 58th Street
Preliminary and Final Design
Project No. 15-02-A

This project is for the reconstruction and widening of Geren Road between Highway 45 and South 58th Street as shown on the attached exhibit. The length of the project is approximately 5,400 feet and the street will be widened to a three lane major collector road section. A multiuse path is proposed on the north side of the street with a sidewalk on the south side. The estimated project cost is approximately $6.0 million.

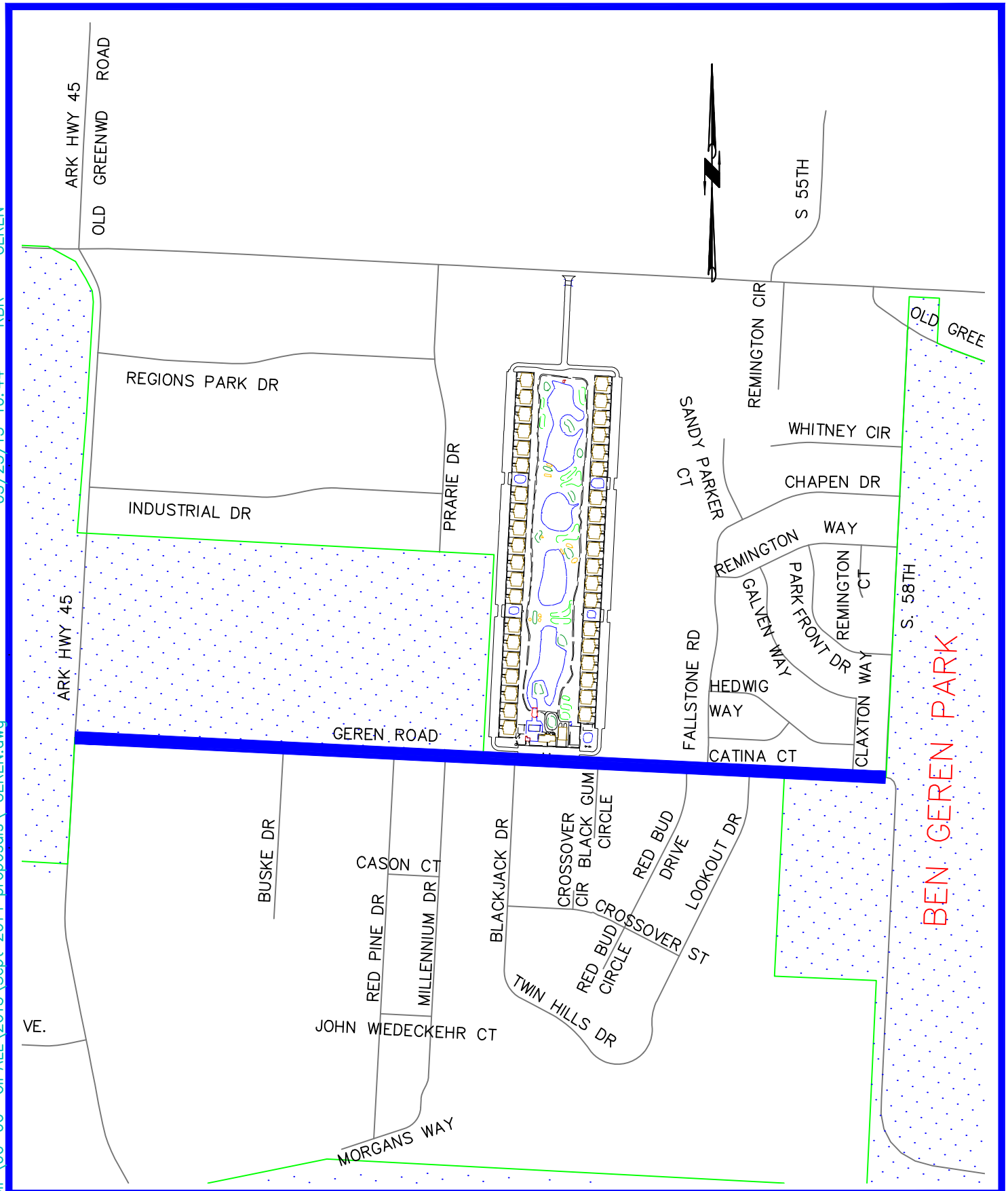
Conceptual plans have been developed in conjunction with the major utilities, which are located along Geren Road. There is an electric transmission line along the south side of the street and a gas transmission line along the north side. Also, a large water transmission line runs the length of this street corridor. The original engineering services contract, in the amount of $74,000, included only the conceptual design so that coordination with these utility companies could occur prior to proceeding further with the design of the project. We are now ready to proceed with the preliminary and final design work for this project.

The Engineering Department has negotiated Amendment Number 1 with Hawkins Weir Engineers, Inc. for the preliminary and final design phases of this project. Amendment Number 1 is in the amount of $348,000, which brings the total amended engineering services contract amount to $422,000. Payment for the engineering services will be based on hourly rates for the actual hours worked on the project plus reimbursable costs. The design work should take approximately 8 months with construction following.

The project aligns with the goals of the comprehensive plan policies FLU-1.4 (Ensure adequate well-maintained infrastructure, public safety, and public facilities for all development and prevent development ahead of infrastructure and service provision), HN-1.7 (Provide convenient, safe connections between neighborhoods and important destinations, such as downtown, employment centers, schools, parks, shopping areas, and neighborhood services), and TI-1.2 (Make major destinations highly accessible by all modes of transportation).

Attached is a Resolution authorizing the Mayor to execute the engineering services contract amendment. I recommend that the Resolution be adopted by the Board of Directors at the next regular meeting.

Enclosures



2015 CAPITAL IMPROVEMENTS PROGRAM

GEREN RD RECONSTRUCTION

The City of Fort Smith ARKANSAS

Project:	15-02-A
Date:	MARCH 2015
Scale:	NONE
Drawn By:	RBR

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RESOLUTION NO. _____ 5 E

RESOLUTION ACCEPTING THE BID FOR PURCHASE OF REAL PROPERTY
AND AUTHORIZING MAYOR TO EXECUTE A DEED
CONVEYING REAL PROPERTY INTERESTS

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

SECTION 1: The bid of Rucker Fine Homes, Inc., for the purchase of Lot 36A, Cisterna Villa at Chaffee Crossing, located at 8229 Cisterna Way, Fort Smith, Arkansas, for the purchase price of $19,777.00, is hereby accepted.

SECTION 2: The City Administrator and the City attorney are hereby authorized to cause the real property transaction approved by Section 1 to be completed pursuant to the procedures set forth in the bid documents issued by the City. The Mayor, his signature being attested by the City Clerk, is hereby authorized to execute and deliver a deed to the purchaser.

This Resolution adopted this _____ day of April 2015.

APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____npr

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator **DATE:** March 30, 2015

FROM: Steve Parke, Director of Utilities

SUBJECT: Lot 36A, Cisterna Villa at Chaffee Crossing

As part of the overall water improvements project to Chaffee Crossing, the city constructed a water pump station on property located at the intersection of Massard Road and Cisterna Way. The land purchased by the city for the pump station construction included two lots in Cisterna Villa subdivision at $35,000.00 per lot, for a total of $70,000.00.

The pump station site was configured to the use of the back portion of the two lots. This allowed the front portion of the two lots to be replated into a single lot for residential construction and sold at a future date. Lot 36A was used extensively during construction for pipe and equipment storage but is no longer of use to the city and can now be sold. The Information for Bidders document and an exhibit showing the replat of lots 36 and 37 to create Lots 36A and 37A are attached.

Staff recently advertised Lot 36A for sale and received only one bid. That bid was from Rucker Fine Homes, Inc., for $19,777.00. The appraisal of Lot 36A from R. Dale White indicates its value at $22,000.00. The appraiser noted in his appraisal report that Lot 36A has a shallow depth and wide frontage which lessens the development potential when compared to typical lots in the development selling between $30,000.00 and $35,000.00. Additionally the lot is encumbered by a 40 foot wide gas line easement along its east side.

Staff feels the bid from Rucker Fine Homes is within a reasonable range of the appraised value. A Resolution accepting the bid of Rucker Fine Homes for an amount of $19,777.00 is attached for the Board's consideration.

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

attachment

pc: Jeff Dingman

INFORMATION FOR BIDDERS

1. Receipt and Opening of Bids

The City of Fort Smith, Arkansas (herein called the "Owner") invites bids on the form attached hereto, all blanks of which must be appropriately filled in. Bids will be received by the Owner **at the office of the Director of Utilities until 2:00 p.m.,** (local time) **February 26, 2015,** and then at said office publicly opened and read aloud. The envelope containing the bid must be sealed and addressed to **Director of Utilities, City of Fort Smith, 3900 Kelley Highway, Fort Smith, Arkansas 72904** and designated as **Lot 36A Cisterna Villa at Chaffee Crossing.**

The Owner may consider informal any Bid not prepared and submitted in accordance with the provisions hereof and may waive any informalities or minor defects or reject any and all bids. Any bid may be withdrawn prior to the time scheduled for the bid opening or authorized postponement thereof. Any bid received after the time and date specified shall not be considered.

2. Preparation of Bid

Each bid must be submitted on the prescribed form with all portions of the bid documents intact. All blank spaces must be filled in, in ink or typewritten, in both words and figures, fully completed and executed when submitted. Each bid must be submitted in a sealed envelope bearing on the outside the name of the Bidder, their address, and designate Lot 36A Cisterna Villa at Chaffee Crossing. If forwarded by mail, the sealed envelope containing the bid must be enclosed in another envelope addressed to the Owner.

3. Introduction

The City of Fort Smith Utility Department is seeking bids for the purchase of Lot 36A, Cisterna Villa at Chaffee Crossing, located at 8229 Cisterna Way, Fort Smith, Arkansas 72916.

The vacant lot is part of Cisterna Villa Subdivision at Chaffee Crossing, and is subject to all of the easements, reservations, fees, covenants and restrictions of the subdivision. The lot is approximately 65 feet in depth and has approximately 149 feet of frontage along Cisterna Way. A copy of the Subdivision Plat 1937 is attached.

The City is selling the property as is, and makes no warranty regarding the condition of the lot. The City will warrant merchantable title to the property subject to recorded encumbrances, restrictions, covenants and reservations.

A title company will be employed to complete the sale transaction. The Buyer and Owner will split the normal closing costs on a 50/50 basis. Real property taxes and property association fees for the year 2014 will be paid by the Owner. Real property taxes and property association fees for the year 2015 will be prorated as of the date of sale.

4. Bid Reservation

The Owner reserves the right to reject any or all bids, including the right to reject bids because of the amount bid.

5. Inspection of Property

The Owner shall make the land available for inspection by prospective bidders from 10:00 a. m. until 12:00 noon on **February 5th, February 12th, and February 19th, 2015**. Requests for inspection dates or times other than those designated herein may or may not be granted.

6. Conditions of Property

Each Bidder must inform themselves fully of the condition of the land.

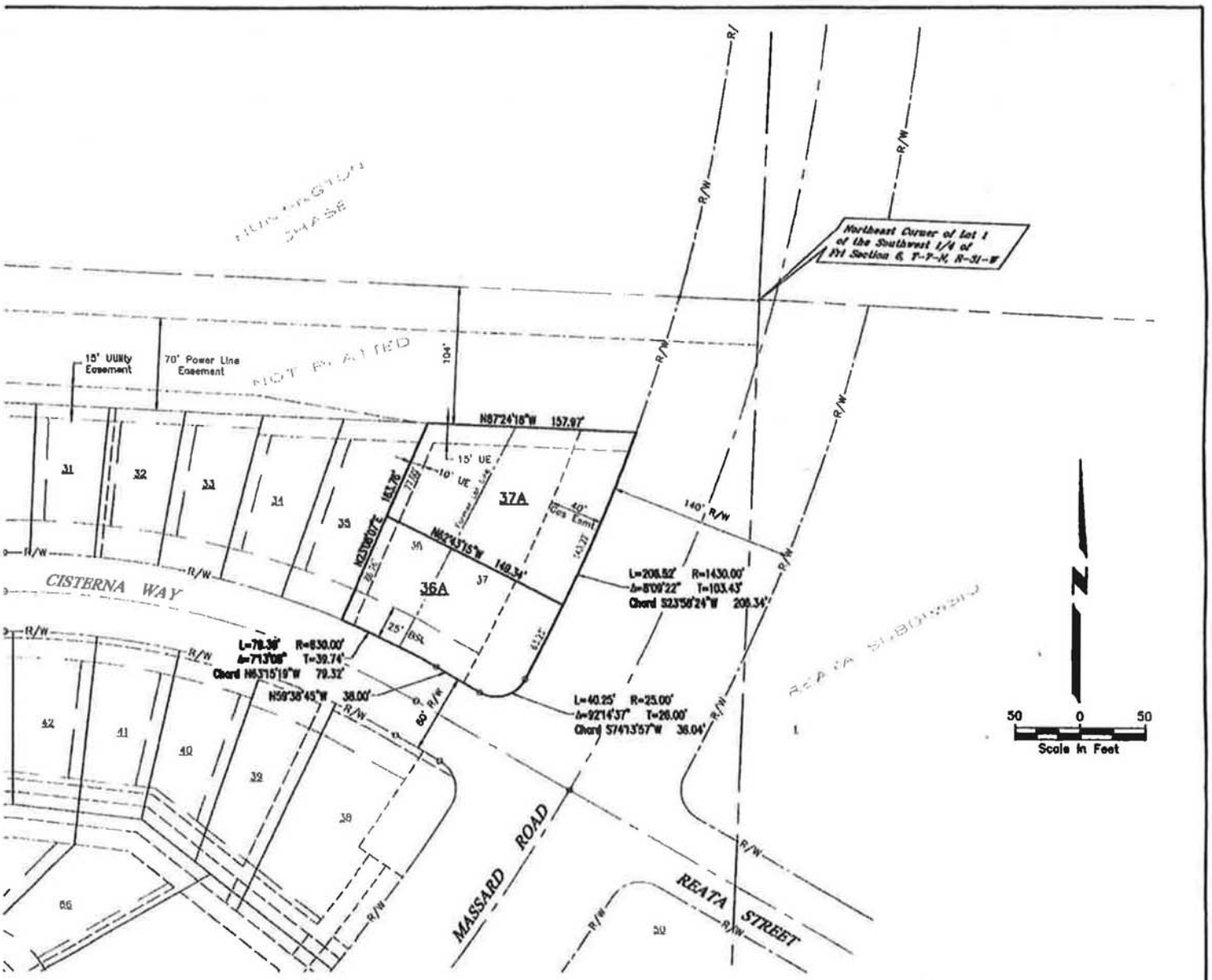
7. Addenda and Interpretation

No formal interpretation of the meaning of the pre-bid documents will be made to any Bidder orally. Every request for such interpretation should be made in writing addressed to the Director of Utilities for the City of Fort Smith, and to be given consideration must be received at least five days prior to the date fixed for the opening of bids. Any and all such interpretations and any supplemental instructions will be in the form of a written addenda which, if issued, will be sent by telephone facsimile (FAX), email and by mail to all prospective Bidders (at the respective Fax number, email address and address furnished to the Owner by the Bidder for such purposes) no later than three days prior to the date fixed for the opening of bids. Failure of any Bidder to receive any such addendum or interpretation shall not relieve such bidder from any obligation under his bid as submitted. All addenda so issued shall become part of the pre-bid documents.

8. Obligation of Bidder

At the time of the opening of bids each Bidder will be presumed to have inspected the land to have read and to be thoroughly familiar with the pre-bid document including all addenda. The failure or omission of any Bidder to examine the land, or any form or document shall in no way relieve any Bidder from any obligation in respect to their Bid.

* * * * *



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 F

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AUTHORIZATION TWO TO THE AGREEMENT WITH BRIXEY ENGINEERING AND LAND SURVEYING, INC., FOR ENGINEERING SERVICES FOR THE NEIGHBORHOOD WATER SYSTEM IMPROVEMENTS – REDUCED SERVICE AREA

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

SECTION 1: Authorization Two to an Agreement with Brixey Engineering and Land Surveying, Inc., for construction phase services associated with the Neighborhood Water System Improvements – Reduced Service Area, Project Number 14-04-EC1, is hereby approved.

SECTION 2: The Mayor is hereby authorized to execute Authorization Two in the amount of $77,400.00, for performance of said services.

This Resolution adopted this _____ day of April 2015.

APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____npr

RESOLUTION NO._____ 5 G

RESOLUTION ACCEPTING THE BID OF AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH FORSGREN, INC., FOR THE NEIGHBORHOOD WATER SYSTEM IMPROVEMENTS – REDUCED SERVICE AREA

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 Neighborhood Water System Improvements – Reduced Service Area, Project Number 14-04-C1, is hereby accepted.

SECTION 2: The Mayor is hereby authorized to execute a contract with Forsgren, Inc., in the amount of $954,734.18, for performing said construction.

This Resolution adopted this _____ day of April 2015.

APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____npr

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator **DATE:** March 30, 2015

FROM: Steve Parke, Director of Utilities

SUBJECT: Neighborhood Water System Improvements
Reduced Service Area, Project Number 14-04

This project consists of the construction of approximately 4,800 linear feet of 6-inch water mains to replace old 2-inch galvanized water lines for improved service and water quality. The project will also provide better fire protection to these areas.

The low bid for the project was submitted by Forsgren, Inc., in the amount of $954,734.18. A bid tabulation sheet showing the bidders and their bid amounts is attached. A Resolution accepting the bid of and authorizing a contract with Forsgren, Inc., is attached. Also attached is a Resolution authorizing the Mayor to execute Authorization Number Two to the Agreement for engineering services with Brixey Engineering and Land Surveying, Inc., for construction observation in the amount of $77,400.00.

Funding for this work is available from the 2008 water and sewer revenue bonds. Should you or members of the Board have any questions or desire additional information, please let me know.

attachment

pc: Jeff Dingman

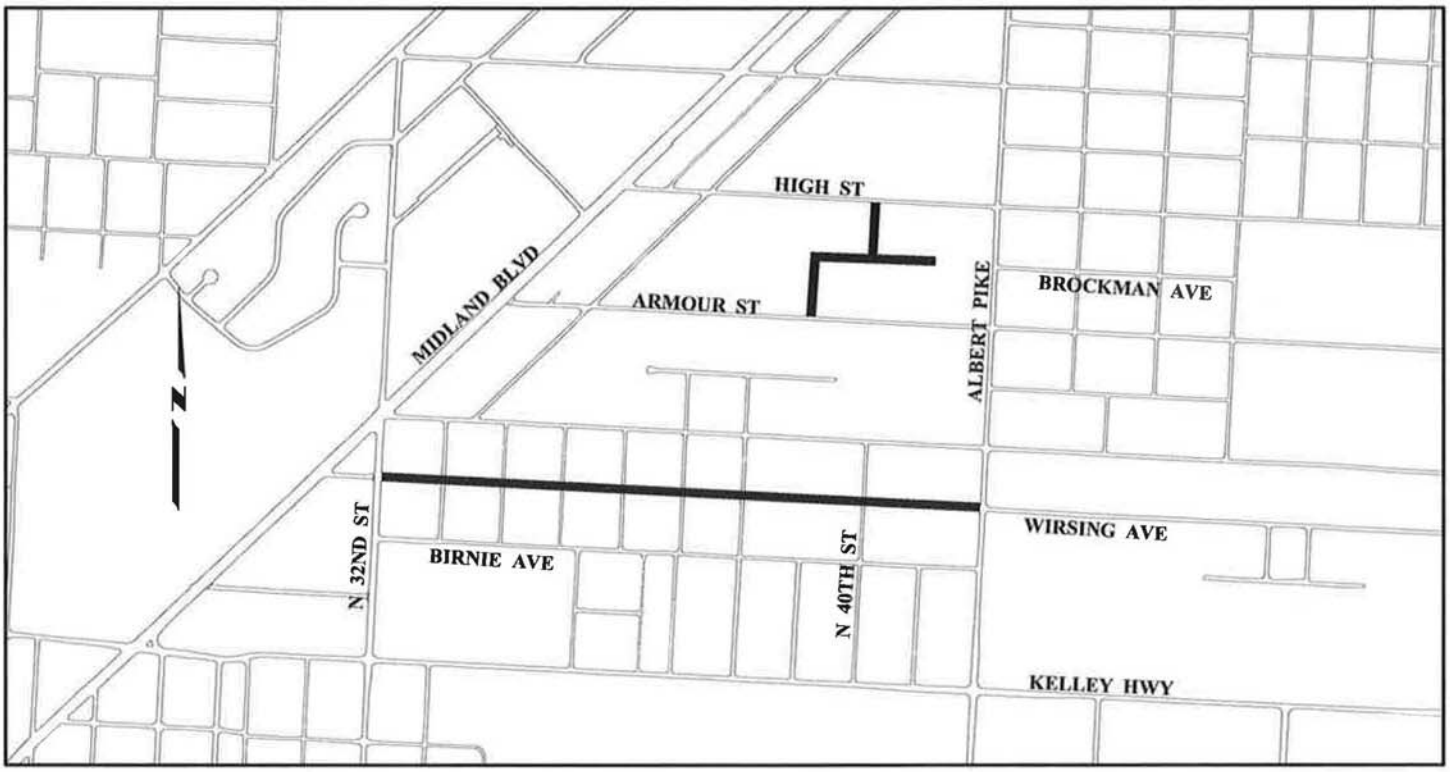
Bid Tabulation Sheet

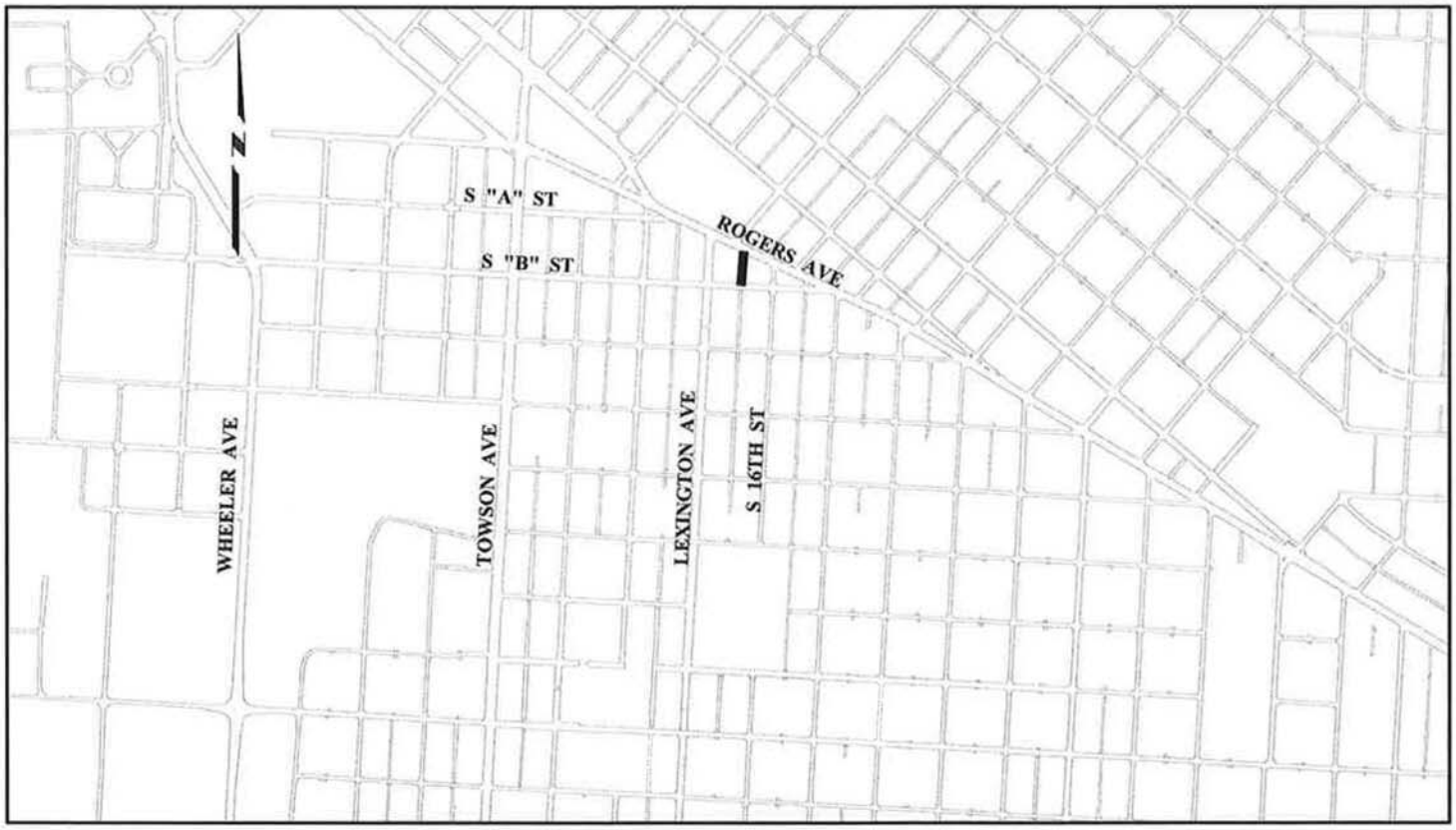
Project Name
Neighborhood Water System Improvements – Reduced Service Area
Project Number 14-04-C1

Bid Opening
March 17, 2015
2:00 P.M.

Bids Received

Forsgren, Inc. Fort Smith, Arkansas	$954,734.18
Brothers Construction Van Buren, Arkansas	$988,798.00
Crawford Construction Van Buren, Arkansas	Withdrew bid





Legend

Proposed Water Line

NEIGHBORHOOD WATER IMPROVEMENTS
REDUCED SERVICE AREA
PROJECT NO. 14-04
PROJECT VICINITY MAP

Comprehensive Plan Goal Supported By Water Projects

- Ensure adequate, well-maintained infrastructure, public safety, and public facilities for all development and prevent development ahead of infrastructure and service provision. (FLU-1.4)

- Continue to ensure that customers within Fort Smith have access to reliable water, sewer, drainage, solid waste services by reducing or eliminating deficiencies and gaps in infrastructure systems (TI-5.1)

- Implement an infrastructure Asset Management Program as a tool for management of the utility department's water and sewer systems and to track, manage, and schedule necessary facility upgrades and improvements. (TI-5.1.1)

- Ensure that utility and infrastructure systems can meet the city's long-term needs. (TI-5.2)

- Coordinate land use planning and capital programming to ensure infrastructure improvements and extensions are phased to support the future land use pattern. (TI-5.2.1)

- Adopt criteria for prioritizing funding to infrastructure-related capital improvement projects. (TI-5.2.4)

- Provide new facilities in a manner that protects investments in existing facilities and promotes orderly growth. (PFS-4.2)

5H

RESOLUTION NO. _____

RESOLUTION ACCEPTING BID FOR THE PURCHASE OF
A REAR LOADER

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 rear loader truck from River City Hydraulics, Inc. for $229,057.92, is accepted.

This Resolution adopted this _____ day of April, 2015.

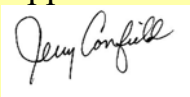
APPROVED:

_____
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: **Purchase of Rear Loader Refuse Truck**

DATE: April 2, 2015

BID TAB: **N/A**

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 Residential Collection Division of the Department of Sanitation (Program 6302) has budgeted $221,000 for this purchase for which funding has been appropriated for in the 2015 City Budget as a Capital Outlay line item (6302-302). Because of the NJPA contract (No. 28414), bids were not solicited and we are therefore acquiring this truck from Rivercity Hydraulics, Inc. of Memphis, Tennessee in the amount of $229,057.92. You will find attached a memorandum from the Department of Sanitation with additional information about this purchase.

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.

Responsible Environmental Management

Fort Smith Department of Sanitation

MEMORANDUM

April 2, 2015

To: Ray Gosack, City Administrator

From: T. Baridi Nkokheli, Director

Subject: Truck Purchase – Residential Rear Loader

The 2015 Budget for the Department of Sanitation's Residential Collections Division (program 6302) includes replacement of a 2000 Crane Carrier Company rear loader (asset #171). Asset #171 has currently been driven 135,866. The packer body is broken beyond repair on the right rear corner. This keeps the tailgate latch, which holds the tailgate down against the packer body, from connecting creating a significant safety issue. The packer body commonly experiences electrical issues, the hydraulic cylinders leak, the pins and bushings on the sweep are worn out, and the press cylinder requires replacement.

Asset #171 has 20 cubic yards of capacity. The replacement truck will be outfitted with a 25 cubic yard, high compaction, packer body which will require fewer trips to the landfill and will allow the crew to stay on the route longer. Since the set out rates for recyclables and yard waste are much less than the set out rates for trash, the larger capacity will also allow us to provide recyclables and yard waste collections utilizing 1 truck and 3 employees for 2 routes per day as opposed to providing collections for a single route utilizing 2 trucks and 4 employees as we are currently. We hope to continue this transition and replacement schedule through the next 4 years.

Our application for the replacement vehicle requires a low entry cab with seating for a 3 person crew as mentioned above. Crane Carrier Company is the only truck manufacturer that offers a low entry cab with seating for 3 occupants. The proposed price for the replacement unit is $229,057.92, $8,057.92 over our budgeted allocation of $221,000. Additional funding will be derived from the residential collections (6302) operating budget.

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

NK

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 – Tracy Pennartz
At Large Position 6 – Kevin Settle
At Large Position 7 – Don Hutchings

AGENDA~ Summary

Fort Smith Board of Directors
REGULAR MEETING
April 7, 2015 ~ 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 214 AND ONLINE AT http://www.ustream.tv/channel/city-of-fort-smith-board-of-directors-meetings

INVOCATION & PLEDGE OF ALLEGIANCE
Pastor Dino Hutchings, Evangel Temple

ROLL CALL
- All present
- Mayor Sandy Sanders, presiding

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)
Information available by viewing rebroadcast of the meeting on the City Access Channel 214, the City website or http://www.ustream.tv/channel/city-of-fort-smith-board-of-directors-meetings

APPROVE MINUTES OF THE MARCH 17, 2015 REGULAR MEETING
Unanimously approved as written

ITEMS OF BUSINESS:

1. Ordinance to provide for rates for services of the sanitary sewer system and superseding ordinances in conflict herewith *~ Tabled to the April 7, 2015 regular meeting at the March 17, 2015 regular meeting ~*
   Approved 6 in favor, 1 opposed (Settle) as amended. The rates are amended adjusting the sewer fund reserve to a 20-percent level rather than the 33-percent level and to include an emergency clause / Ordinance No. 23-15

2. Ordinance amending charges for the Utility Assistance Program's residential sanitation services provided by the department of sanitation of the City of Fort Smith
Approved 7 in favor, 0 opposed / Ordinance No. 24-15

3. Ordinance amending the 2009 Unified Development Ordinance of the City of Fort Smith *(Dumpster screening)*
Approved 7 in favor, 0 opposed / Ordinance No. 25-15

4. 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 *(2800 Neis, 922 North 11th Street and 5203 Poplar)*
Approved 7 in favor, 0 opposed / Ordinance No. 26-15

5. Consent Agenda

A. Ordinance to abandon a sanitary sewer easement located in Wright Estates, Lot 1 an addition to the City of Fort Smith, Sebastian County, Arkansas (*2830 Country Club Avenue)*
Approved 7 in favor, 0 opposed / Ordinance No. 27-15

B. Resolution to accept the bid and authorize a contract for the Town Branch Drainage Improvements, Phase III, Project No. 11-06-B *($2,716,756.25 / Engineering Department/ Budgeted – Sales Tax Program)* ♦
Approved 7 in favor, 0 opposed / Resolution No. R-57-15

C. Resolution to accept the bid and authorize a contract for the construction of Traffic Signal Improvements, Project No. 14-09-A *($451,086.75 / Engineering Department / Budgeted – Sales Tax Program)* ♦
Approved 7 in favor, 0 opposed / Resolution No. R-58-15

D. Resolution authorizing an amendment to the engineering services agreement for the Geren Road Reconstruction, Project No. 15-02-A *($348,000.00 / Engineering Department / Budgeted – Sales Tax Program)* ♦
Approved 7 in favor, 0 opposed / Resolution No. R-59-15

E. Resolution accepting the bid for purchase of real property and authorizing the Mayor to execute a deed conveying real property interests (*8229 Cisterna Way)*
Approved 7 in favor, 0 opposed / Resolution No. R-60-15

F. Resolution authorizing the Mayor to execute Authorization No. 2 to the agreement with Brixey Engineering and Land Surveying, Inc. for engineering services for the Neighborhood Water System Improvements –

Reduced Service Area *($77,400.00 / Utility Department / Budgeted – 2008 Revenue Bonds)* ♦
Approved 7 in favor, 0 opposed / Resolution No. R-61-15

G. Resolution accepting the bid of and authorizing the Mayor to execute a contract with Forsgren, Inc. for the Neighborhood Water System Improvements – Reduced Service Area *($954,734.18 / Utility Department / Budgeted – 2008 Revenue Bonds)* ♦
Approved 7 in favor, 0 opposed / Resolution No. R-62-15

H. Resolution accepting bid for the purchase of a rear loader *($229,057.92 / Department / Budgeted – Capital Outlay 6302-302)*
Approved 7 in favor, 0 opposed / Resolution No. R-63-15

OFFICIALS FORUM ~ presentation of information requiring no official action
(Section 2-36 of Ordinance No. 24-10)

- Mayor
- Directors
- City Administrator

Information available by viewing rebroadcast of the meeting on the City Access Channel 214, the City website or http://www.ustream.tv/channel/city-of-fort-smith-board-of-directors-meetings

ADJOURN
6:43p.m.

ORDINANCE NO. 23-15 as amended

AN ORDINANCE TO PROVIDE FOR RATES FOR SERVICES OF THE SANITARY SEWER SYSTEM AND SUPERSEDING ORDINANCES IN CONFLICT HEREWITH

BE IT ORDAINED AND ENACTED by the Board of Directors of the City of Fort Smith, Arkansas that:

SECTION 1: Ordinance No. 73-10 and prior sanitary sewer system rate ordinances are hereby repealed on the effective date of the rates established by this ordinance and replaced with the following:

Users of the sanitary sewer system shall be and are hereby required to pay monthly sewer user charges in accordance with the schedule set forth below. The user charge accrual shall commence on the date the customer makes the service connection or on the date the City's facilities are ready for use, whichever is later. If a customer receives water solely for irrigation purposes through a totally separate meter and system, or, if a customer receives water through a totally separate meter and system for other verifiable purpose and the water is not discharged into the sewer system, such water shall not be subject to charges under this ordinance.

Rate Schedule
Effective May 1, 2015

User Class	Unit	Dollars
Billing Charge	Per Account	$2.50
Volume Charge		
Residential	ccf	$5.30
Commercial	ccf	$5.30
Industrial	ccf	$5.30
High-Strength Charge (for strengths above 250 mg/l)		
BOD	lb.	$0.2786

TSS	lb.	$0.2124
Monitoring	Actual Cost	Actual Cost
Contract/Wholesale Users High-Strength Charge (for strengths above 250 mg/l)	ccf	$1.68
BOD	lb.	$0.2786
TSS	lb.	$0.2124
Monitoring	Actual Cost	Actual Cost

Effective January 1, 2016

User Class	Unit	Dollars
Billing Charge	Per Account	$3.50
Volume Charge		
Residential	ccf	$7.10
Commercial	ccf	$7.10
Industrial	ccf	$7.10
High-Strength Charge (for strengths above 250 mg/l)		
BOD	lb.	$0.3762
TSS	lb.	$0.2867
Monitoring	Actual Cost	Actual Cost
Contract/Wholesale Users High-Strength Charge (for strengths above 250 mg/l)	ccf	$2.26
BOD	lb.	$0.3762
TSS	lb.	$0.2867
Monitoring	Actual Cost	Actual Cost

Effective January 1, 2017

User Class	Unit	Dollars
Billing Charge	Per Account	$4.50
Volume Charge		
Residential	ccf	$8.45
Commercial	ccf	$8.45
Industrial	ccf	$8.45
High-Strength Charge (for strengths above 250 mg/l)		
BOD	lb.	$0.4476

TSS	lb.	$0.3412
Monitoring	Actual Cost	Actual Cost
Contract/Wholesale Users High-Strength Charge (for strengths above 250 mg/l)	ccf	$2.69
BOD	lb.	$0.4476
TSS	lb.	$0.3412
Monitoring	Actual Cost	Actual Cost

SECTION 2: For residential users only, a winter month's average will be used to calculate the metered water usage so that for the months of April through October a residential customer's sewer bill will be based upon the average monthly water usage during the previous five (5) months, i.e., November through March.

SECTION 3: Emergency Clause. It is hereby determined that the adoption and collection of the monthly sewer user charges set forth herein is essential to the proper operation and maintenance of the City's sanitary sewer system. Therefore, an emergency is declared so that the provisions of this Ordinance shall be in full force and effect as of passage and the user charges shall be effective as of the dates set forth herein.

PASSED AND APPROVED this 7th day of April 2015.

APPROVED:

Sandy Sanders
Mayor

ATTEST:

Sherri Gard
City Clerk

APPROVED AS TO FORM:

Jerry Canfield publish once

ORDINANCE NO. 24-15

AN ORDINANCE AMENDING CHARGES FOR THE UTILITY ASSISTANCE PROGRAM'S 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: Section 2(d) of Ordinance No. 21-13 regarding the Utility Assistance Program rates established for residential sanitation services is hereby amended to read as follows:

(d) The rates for residential sanitation service for customers participating in the Utility Assistance Program shall be eighty-one (81) percent of the residential sanitation rates which would otherwise be paid by such customer as approved in the City of Fort Smith Municipal Code Section 25-99. The program rates shall be:

Residential	$10.46
City wide cleanup	$ 0.37
Total	$10.83

Section 2: 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.

PASSED AND APPROVED THIS 7 DAY OF ~~March~~ April 2015.

APPROVED:

Sandy Sanders

Mayor

ATTEST:

Sherri Gard

City Clerk

APPROVED:

Jerry Canfield

City Attorney

Publish One Time

ORDINANCE NO. 25-15

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 March 10, 2015, that said changes be made; and,

WHEREAS, three (3) copies of April 2015 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 April 2015 Amendments to the Unified Development Ordinance 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 7 DAY OF April, 2015.

APPROVED:

Sandy Sanders

Mayor

ATTEST:

Sherri Gard

City Clerk

Approved as to form:

Jay Crifield

Publish One Time

APRIL 2015

AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE

6. All trash receptacles shall be completely screened with a permanent opaque screen fence. Individual trash receptacles provided by the Fort Smith Sanitation Department shall not be required to be screened.

7. Outdoor lighting shall comply with Section 27-602-5.

8. A permanent opaque six-foot screening fence, wall or landscape buffer shall be provided along any side or rear property line adjacent to property developed or zoned single family including alleys.

E. Industrial Building Standards The following standards shall apply to industrial, storage and distribution buildings when constructed along major arterial or boulevard streets as classified by the master street plan, or adjacent to residential districts, and/or those buildings at the perimeter of an industrial subdivision.

1. Each primary entrance for employees or visitors that faces a public street should be emphasized through the use of differing colors or materials, arches, arcades or other architectural treatments.

2. All front facades of primary structures, all facades that face a public right-of-way, and all sidewall facades within forty (40) feet of the front façade, shall be made of masonry (brick, stone and/or stucco), tilt-up concrete panels (textured or untextured), wood, native stone, tinted glass, exterior insulated finished systems (EIFS), cementious siding (e.g., Hardie Board), or other siding materials as approved by the Director.

3. Facades of the primary structure should incorporate architectural relief through the use of at least two of the following tools: reveals, visible joint patterns, projected sills, belt courses, repeating brick header and stretcher courses, or differing colors and textures.

4. All primary structures with roofs with a pitch of less than 2:12 shall be screened by a parapet wall or fascia.

5. All trash receptacles shall be screened with a permanent opaque screening fence.

6. Outdoor lighting shall comply with Section 27-602-5.

7. Outdoor storage.

   a. Industrial-1 (I-1):

      1.Areas used for outdoor storage or display shall be maintained so that excessive dust, fumes or odors will not be produced by continued use.

1B

4

ORDINANCE NO. 26-15

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 tract 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: **5203 POPLAR STREET - LOT 13; KAISER ADDITION**

922 NORTH 11TH STREET- LOT 6, BLOCK 79; CITY ADDITION

2800 NEIS STREET-LOTS 11-12, BLOCK 22; BONNEVILLE #2 ADDITION

SECTION 2: The owners of the tract of real property described in Section 1 are hereby ordered to remove or raze the improvements located on the said tract of property and to remedy the unsightly and unsanitary conditions otherwise located on said tract 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 7 day of April 2015.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to form:

Publish 1 time

5A.

ORDINANCE NO. 27-15

**AN ORDINANCE TO ABANDON
A SANITARY SEWER EASEMENT
LOCATED IN WRIGHT ESTATES, LOT 1
AN ADDITION TO THE CITY OF FORT SMITH, SEBASTIAN COUNTY, ARKANSAS**

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

SECTION 1: The City of Fort Smith, Arkansas hereby releases, vacates and abandons all its rights together with the rights of the public generally to a sanitary sewer easement located in the hereinafter described real property:

A strip of land 10 feet wide, the center line of which is described as follows: Beginning at a point 394 feet West of the Northeast corner of the Northwest Quarter of the Northwest Quarter, Section 27, Township 8 North, Range 32 West, thence South 334.0 feet to a point on the South property line said point being 394.0 feet West of and 343.0 feet South of said Northeast corner.

The sanitary sewer easement being released, vacated and abandoned is no longer required for municipal corporate purposes.

SECTION 2: A copy of the Ordinance duly certified by the City Clerk shall be filed with the Office of the Recorder of the County and recorded in the deed records of the County.

Ord. 27-15

PASSED AND APPROVED THIS 7 DAY OF APRIL 2015.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to form:

No publication required

5B

RESOLUTION R-57-15

A RESOLUTION TO ACCEPT THE BID AND AUTHORIZE A CONTRACT FOR THE TOWN BRANCH DRAINAGE IMPROVEMENTS, PHASE III
PROJECT NO. 11-06-B

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

SECTION 1: The bid of Forsgren, Inc. received March 31, 2015 for the Town Branch Drainage Improvements, Phase III, Project 11-06-B, in the amount of $2,716,756.25 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 7 day of April, 2015.

APPROVED:

Sandy Sanders
Mayor

ATTEST:

Sherri Gard
City Clerk

Approved as to Form

Jerry Canfield

☑ No Publication Required

5C

RESOLUTION R-58-15

A RESOLUTION TO ACCEPT THE BID AND AUTHORIZE A CONTRACT FOR THE CONSTRUCTION OF TRAFFIC SIGNAL IMPROVEMENTS
PROJECT NO. 14-09-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 March 31, 2015, for the construction of Traffic Signal Improvements, Project No. 14-09-A, in the amount of $451,086.75 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 7 day of April, 2015.

APPROVED:

Sandy Sanders
Mayor

ATTEST:

Sherri Gard
City Clerk

Approved as to Form

Jerry Crafford

No Publication Required

5D

RESOLUTION R-59-15

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE ENGINEERING SERVICES AGREEMENT FOR THE GEREN ROAD RECONSTRUCTION PROJECT NO. 15-02-A

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

SECTION 1: Amendment No. 1 to the engineering services agreement with Hawkins Weir Engineers, Inc. for the Geren Road Reconstruction, Project 15-02-A, which increases the contract amount by $348,000.00 to an adjusted contract amount of $422,000.00, is hereby approved.

SECTION 2: Payment for engineering services, authorized by Section 1, is hereby authorized from the Sales Tax Fund (1105).

This resolution adopted this 7 day of April, 2015.

APPROVED:

Sandy Sanders
Mayor

ATTEST:

Sherri Gard
City Clerk

Approved as to Form

Jerry Canfield

☑ No Publication Required

RESOLUTION NO. R-60-15 5 E

RESOLUTION ACCEPTING THE BID FOR PURCHASE OF REAL PROPERTY AND AUTHORIZING MAYOR TO EXECUTE A DEED CONVEYING REAL PROPERTY INTERESTS

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

SECTION 1: The bid of Rucker Fine Homes, Inc., for the purchase of Lot 36A, Cisterna Villa at Chaffee Crossing, located at 8229 Cisterna Way, Fort Smith, Arkansas, for the purchase price of $19,777.00, is hereby accepted.

SECTION 2: The City Administrator and the City attorney are hereby authorized to cause the real property transaction approved by Section 1 to be completed pursuant to the procedures set forth in the bid documents issued by the City. The Mayor, his signature being attested by the City Clerk, is hereby authorized to execute and deliver a deed to the purchaser.

This Resolution adopted this 7 day of April 2015.

APPROVED:

Sandy Sanders
Mayor

ATTEST:

Sherri Gard
City Clerk

APPROVED AS TO FORM:

Jerry Canfield npr

RESOLUTION NO. R-61-15 5 F

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AUTHORIZATION TWO TO THE AGREEMENT WITH BRIXEY ENGINEERING AND LAND SURVEYING, INC., FOR ENGINEERING SERVICES FOR THE NEIGHBORHOOD WATER SYSTEM IMPROVEMENTS – REDUCED SERVICE AREA

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

SECTION 1: Authorization Two to an Agreement with Brixey Engineering and Land Surveying, Inc., for construction phase services associated with the Neighborhood Water System Improvements – Reduced Service Area, Project Number 14-04-EC1, is hereby approved.

SECTION 2: The Mayor is hereby authorized to execute Authorization Two in the amount of $77,400.00, for performance of said services.

This Resolution adopted this 7 day of April 2015.

APPROVED:

Sandy Sanders
Mayor

ATTEST:

Sherri Gard
City Clerk

APPROVED AS TO FORM:

Jerry Canfield npr

RESOLUTION NO. R-62-15 5 G

RESOLUTION ACCEPTING THE BID OF AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH FORSGREN, INC., FOR THE NEIGHBORHOOD WATER SYSTEM IMPROVEMENTS – REDUCED SERVICE AREA

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 Neighborhood Water System Improvements – Reduced Service Area, Project Number 14-04-C1, is hereby accepted.

SECTION 2: The Mayor is hereby authorized to execute a contract with Forsgren, Inc., in the amount of $954,734.18, for performing said construction.

This Resolution adopted this 7 day of April 2015.

APPROVED:

Sandy Sanders

Mayor

ATTEST:

Sherri Gard

City Clerk

APPROVED AS TO FORM:

Jerry Canfield npr

5H

RESOLUTION NO. R-63-15

RESOLUTION ACCEPTING BID FOR THE PURCHASE OF
A REAR LOADER

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 rear loader truck from River City Hydraulics, Inc. for $229,057.92, is accepted.

This Resolution adopted this 7 day of April, 2015.

APPROVED:

Sandy Sanders
MAYOR

ATTEST:

Sherri Gard
CITY CLERK

Approved as to form:

Jerry Canfield

☒ No Publication Required

☐ Publish ____ Times

5H

Interoffice Memorandum

TO: Ray Gosack, City Administrator

COPY TO: Baridi Nkokheli, Director of Sanitation

FROM: Alie Bahsoon, Purchasing Manager

SUBJECT: **Purchase of Rear Loader Refuse Truck**

DATE: April 2, 2015

BID TAB: **N/A**

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 Residential Collection Division of the Department of Sanitation (Program 6302) has budgeted $221,000 for this purchase for which funding has been appropriated for in the 2015 City Budget as a Capital Outlay line item (6302-302). Because of the NJPA contract (No. 28414), bids were not solicited and we are therefore acquiring this truck from Rivercity Hydraulics, Inc. of Memphis, Tennessee in the amount of $229,057.92. You will find attached a memorandum from the Department of Sanitation with additional information about this purchase.

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.

Responsible Environmental Management

Fort Smith Department of Sanitation

MEMORANDUM

April 2, 2015

To: Ray Gosack, City Administrator

From: T. Baridi Nkokheli, Director

Subject: Truck Purchase – Residential Rear Loader

The 2015 Budget for the Department of Sanitation's Residential Collections Division (program 6302) includes replacement of a 2000 Crane Carrier Company rear loader (asset #171). Asset #171 has currently been driven 135,866. The packer body is broken beyond repair on the right rear corner. This keeps the tailgate latch, which holds the tailgate down against the packer body, from connecting creating a significant safety issue. The packer body commonly experiences electrical issues, the hydraulic cylinders leak, the pins and bushings on the sweep are worn out, and the press cylinder requires replacement.

Asset #171 has 20 cubic yards of capacity. The replacement truck will be outfitted with a 25 cubic yard, high compaction, packer body which will require fewer trips to the landfill and will allow the crew to stay on the route longer. Since the set out rates for recyclables and yard waste are much less than the set out rates for trash, the larger capacity will also allow us to provide recyclables and yard waste collections utilizing 1 truck and 3 employees for 2 routes per day as opposed to providing collections for a single route utilizing 2 trucks and 4 employees as we are currently. We hope to continue this transition and replacement schedule through the next 4 years.

Our application for the replacement vehicle requires a low entry cab with seating for a 3 person crew as mentioned above. Crane Carrier Company is the only truck manufacturer that offers a low entry cab with seating for 3 occupants. The proposed price for the replacement unit is $229,057.92, $8,057.92 over our budgeted allocation of $221,000. Additional funding will be derived from the residential collections (6302) operating budget.

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

NK

MINUTES OF THE BOARD OF DIRECTORS REGULAR MEETING

TUESDAY ~ APRIL 7, 2015 ~ 6:00 P.M.

FORT SMITH PUBLIC SCHOOLS SERVICE CENTER

The meeting was called to order by Mayor Sandy Sanders, presiding. Invocation was given by Music Pastor Dino Hutchings of Evangel Temple Church, followed by the Pledge of Allegiance. On roll call the following members of the Board were present: Directors Keith Lau, Andre' Good, Mike Lorenz, George Catsavis, Tracy Pennartz, Kevin Settle and Don Hutchings. The Mayor declared a quorum present.

Mayor Sanders inquired if any Board member had any item of business to present that was not already on the agenda. There was none presented.

The minutes of the March 17, 2015 regular meeting was presented for approval. Settle, seconded by Hutchings, moved approval of the minutes as written. The members all voting aye, the Mayor declared the motion carried.

Item No. 1 was an ordinance to provide for rates for services of the sanitary sewer system and superseding ordinances in conflict herewith *~ Tabled to the April 7, 2015 regular meeting at the March 17, 2015 regular meeting ~*

City Administrator Ray Gosack briefed the board on the item advising such is the sewer rate ordinance as introduced at the March 3, 2015 regular meeting, along with a resolution setting the matter for a public meeting on March 17, 2015. Following the March 17 public meeting, consideration of the rate ordinance was tabled to allow anticipated discussion at the March 19, 2015 special study session. At said special study session, the Board discussed adjusting the sewer fund reserve to a 20-percent (20%) level rather than the 33-percent (33%) level as originally presented. If the Board

opts to consider the twenty-percent (20%) fund reserve, the ordinance must be amended to reflect such. The proposed ordinance also includes an effective date of May 1, 2015. In order to ensure the aforementioned effective date, the ordinance must be amended to include an emergency clause, which requires five (5) affirmative votes for passage. If the ordinance is not amended to include an emergency clause and/or if the emergency clause is not approved, the effective date of the proposed sewer rates cannot become effective until thirty (30) days after adoption of the ordinance.

The following individuals were present to address the Board:

- David Harris
  Fort Smith

  Re: Expressed gratitude for the Board's desire for citizens to not have to pay any more than absolutely necessary. He further noted the harsh fines associated with the consent decree if deadlines are not met; therefore, he expressed desire for the Board to keep such in mind.

- Noah Steffy
  Fort Smith

  Re: Spoke in opposition of the item alleging such places a burden on low-income citizens and *"cries foul"* alleging other funding sources should be sought.

Director Good expressed gratitude to Mr. Harris and Mr. Steffy for their input. He further affirmed the harsh consequences of not meeting deadlines required within the consent decree, as well as additional detrimental actions taken by the State of Arkansas. With regard to other funding sources, he affirmed that multiple funding sources were explored; however and unfortunately, the proposed has been determined to be the best option. Concern was expressed with the proposed number of employees required; however, he conceded he is not an expert on the matter and conveyed the importance and necessity of relying on the recommendations of experts and staff.

Director Lorenz noted that providing water and sewer is a municipally supplied service that is inherently an expense citizens who utilize such are responsible for. The current members of the Board of Directors do not wish to make the same mistakes as its predecessors citing the rates must be increased to adequately coincide the service to the actual cost to provide such.

Director Settle expressed concern regarding the implementation of additional employees needed to facilitate the demands of the consent decree.

Director Pennartz noted the Utility Assistance Program / Project Concern's Federal Poverty Level (FPL) is at 165%. After six (6) months of implementation of the new sewer rate, she requested the FPL trend data be evaluated to determine if the percentage should be adjusted. She also expressed concern with the number of additional employees needed to meet the demands of the consent decree. Although consideration of the proposed rate increase is an unfortunate necessity, she clarified that such does not prohibit investigation of alternative funding options that may become available in the future.

Mayor Sanders reiterated that he and the Board are disheartened with the burden to pass the issue onto the residents; however, such is essential to improving the position the City is currently in and the City will be better off for such. He further noted that after the rate increase, the rates are still lower than surrounding comparable cities rates. The required funding is vital not only to comply with the consent decree and avoid unnecessary fines, but to also make necessary improvements to the sewer system that will improve and prevent future issues for the residents of Fort Smith.

Lorenz, seconded by Hutchings, moved to amend the ordinance adjusting the sewer fund reserve to 20-percent (20%), which reduces the originally proposed sewer rate. The members voted as follows: ayes – Lorenz, Catsavis, Pennartz, Settle and

Hutchings; nays – Lau and Good. The Mayor declared the motion carried and the ordinance stood amended.

Lau, seconded by Good, moved to amend Section 3 of the ordinance to include an emergency clause. The members voted as follows: ayes – Lau, Good, Lorenz, Catsavis, Pennartz and Hutchings; nays – Settle. The Mayor declared the motion carried and Section 3 of the ordinance stood amended.

Lau, seconded by Lorenz, moved adoption of the ordinance as amended. The motion included suspending the rule to allow the three (3) full readings of the ordinance to be by caption and for the readings to occur on the same date. The City Clerk read the ordinance for its readings and the members voted as follows: aye - Lau, Good, Lorenz, Catsavis, Pennartz and Hutchings; nays – Settle. The Mayor declared the motion carried. Lau, seconded by Good, moved adoption of Section 3 the emergency clause. The members voted as follows: ayes – Lau, Good, Lorenz, Catsavis and Hutchings; nays – Pennartz and Settle. The Mayor declared the motion carried and the ordinance and emergency clause were adopted and given Ordinance No. 23-15.

Item No. 2 was an ordinance amending charges for the Utility Assistance Program's residential sanitation services provided by the Department of Sanitation of the City of Fort Smith.

Administrator Gosack briefed the Board on the item advising such comes as a result of a review of the Utility Assistance Program by the Finance Department. Such review revealed that an amendment adopted in 2013 contained an error in the reduced rate established for participants in the Assistance Program for sanitation services. The error resulted in a thirteen percent (13%) discount rather than the intended nineteen (19%) discount for program participants. The proposed ordinance amends the reduced rate for residential sanitation services to $10.46, an accurate reflection of the 19%

discount of the standard rate as required in the Fort Smith Municipal Code Section 25-99.

Director Settle inquired how many citizens currently participate in the Utility Assistance Program and expressed desire to be able to lower rates for all citizens.

Deputy Director of Finance Jennifer Walker advised there are currently less than 100 program participants.

Hutchings, seconded by Lorenz, moved adoption of the ordinance. The motion included suspending the rule to allow the three (3) full readings of the ordinance to be by caption and for the readings to occur on the same date. The City Clerk read the ordinance for its readings and the members all voting affirmatively, the Mayor declared the motion carried and the ordinance was adopted and given Ordinance No. 24-15.

Item No. 3 was an ordinance amending the 2009 Unified Development Ordinance of the City of Fort Smith *(dumpster screening)*.

Administrator Gosack briefed the Board on the item advising the proposed amendment exempts multi-family developments from screening individual automated trash cans provided by the Fort Smith Sanitation Department. Such is not possible or reasonable to screen each can; however, all multi-family developments with dumpsters will still be required to provide screening around the dumpster. The Planning Commission held a public hearing on March 10, 2015 with no individual present to speak in opposition. The Planning Commission recommended the amendment for Board consideration with seven (7) in favor and zero (0) opposed.

Settle, seconded by Pennartz, moved adoption of the ordinance. The motion included suspending the rule to allow the three (3) full readings of the ordinance to be by caption and for the readings to occur on the same date. The City Clerk read the ordinance for its readings and the members all voting affirmatively, the Mayor declared

the motion carried. Settle, seconded by Pennartz, moved adoption of Section 3 the emergency clause. The members all voting affirmatively, the Mayor declared the motion carried and the ordinance and emergency clause were adopted and given Ordinance No. 25-15.

Item No. 4 was 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 *(2800 Neis, 922 North 11th Street and 5203 Poplar).*

Administrator Gosack briefed the Board on the item advising the structures have been determined to be unsafe and detrimental to the public welfare; therefore, he recommended approval of the item. Upon approval, the property owners will have approximately thirty (30) days to accomplish the demolition. If such is not accomplished, the City will initiate the bidding process to obtain a contractor to demolish the structures.

Regarding the structure at 5203 Poplar, Director Hutchings inquired why the demolition process has taken years to address.

Building Official Jimmie Deer advised the delay is a result of the property being sold multiple times. After each sale, staff has tried to work with each new owner and provide adequate time for the most current owner to bring the structure into compliance.

Director Lau inquired if the metal storage building on the back of the property is included in the proposed demolition whereby Mr. Deer confirmed the storage building is not included.

Good, seconded by Hutchings, moved adoption of the ordinance. The motion included suspending the rule to allow the three (3) full readings of the ordinance to be by caption and for the readings to occur on the same date. The City Clerk read the ordinance for its readings and the members all voting affirmatively, the Mayor declared

the motion carried. Settle, seconded by Good, moved adoption of Section 5 the emergency clause. The members all voting affirmatively, the Mayor declared the motion carried and the ordinance and emergency clause were adopted and given Ordinance No. 26-15.

The Consent Agenda (Item No. 5) was introduced for consideration, the items being as follows:

A. Ordinance to abandon a sanitary sewer easement located in Wright Estates, Lot 1 an addition to the City of Fort Smith, Sebastian County, Arkansas (*2830 Country Club Avenue)*

B. Resolution to accept the bid and authorize a contract for the Town Branch Drainage Improvements, Phase III, Project No. 11-06-B *($2,716,756.25 / Engineering Department/ Budgeted – Sales Tax Program)* ♦

C. Resolution to accept the bid and authorize a contract for the construction of Traffic Signal Improvements, Project No. 14-09-A *($451,086.75 / Engineering Department / Budgeted – Sales Tax Program)* ♦

D. Resolution authorizing an amendment to the engineering services agreement for the Geren Road Reconstruction, Project No. 15-02-A *($348,000.00 / Engineering Department / Budgeted – Sales Tax Program)* ♦

E. Resolution accepting the bid for purchase of real property and authorizing the Mayor to execute a deed conveying real property interests (*8229 Cisterna Way)*

F. Resolution authorizing the Mayor to execute Authorization No. 2 to the agreement with Brixey Engineering and Land Surveying, Inc. for engineering services for the Neighborhood Water System Improvements – Reduced Service Area *($77,400.00 / Utility Department / Budgeted – 2008 Revenue Bonds)* ♦

G. Resolution accepting the bid of and authorizing the Mayor to execute a contract with Forsgren, Inc. for the Neighborhood Water System Improvements – Reduced Service Area *($954,734.18 / Utility Department / Budgeted – 2008 Revenue Bonds)* ♦

H. Resolution accepting bid for the purchase of a rear loader *($229,057.92 / Department / Budgeted – Capital Outlay 6302-302)*

Regarding Item No. 5B, Director Settle requested Director of Engineering Stan Snodgrass provided a brief explanation.

Mr. Snodgrass advised the project consists of drainage improvements to reduce the frequency of flooding that occurs in the downtown area and areas just north of downtown. The work includes improving the upstream outfall beginning at the South "G" Street/Towson intersection and extending west and south ultimately flowing into Mill Creek. This outfall is restricted which is contributing to the flooding in the downtown areas. The project also includes reconstruction of drainage inlets along the east side of Towson Avenue between South "A" and "D" Streets to allow those inlets to intercept more storm water runoff.

Settle, seconded by Good, moved adoption of all consent agenda items. The members all voting affirmatively, the Mayor declared the motion carried and the ordinance and resolutions were adopted with ordinance given Ordinance No. 27-15 and the resolutions numbered Resolution No. R-57-15 through R-63-15, respectively.

Mayor Sanders opened the Officals Forum with the following comments offered:

- Mayor Sanders

  Re: Announced the monthly Town Hall meeting will be held immediately following adjournment and encouraged all who wish to participate to please sign up at the City Clerk's desk.

- Director Settle

  Re: Advised season passes to Parrot Island Water Park are now available for purchase. The cost is $59 dollars for

single person and $199 for a family of four (4). Such may be purchased at an office located inside the Ben Geren storm shelter.

- Administrator Gosack

  Re: Reminded all of the Ward 2 meeting scheduled for 6:00 p.m., Tuesday, April 14th at the Elm Grove Community Center, 1901 North Greenwood Avenue.

There being no further business to come before the Board, Lau moved that the meeting adjourn. The motion was seconded by Hutchings, and the members all voting aye, the Mayor declared the motion carried and the meeting stood adjourned at 6:43 p.m.

APPROVED

MAYOR

ATTEST

CITY CLERK