

## **MINUTES OF BOARD OF DIRECTORS REGULAR MEETING**

**TUESDAY ~ SEPTEMBER 21, 2010 ~ 6:00 P.M.**

### **FORT SMITH PUBLIC SCHOOLS SERVICE CENTER**

The meeting was called to order by Vice-Mayor Gary Campbell, presiding in the absence of Mayor Ray Baker. Invocation was given by Director Steve Tyler, followed by the Pledge of Allegiance. On roll call the following members of the Board were present: Directors Steve Tyler, Andre Good, Don Hutchings, Bill Maddox, Gary Campbell, Kevin Settle, and Cole Goodman. A quorum was declared present.

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

The minutes of the September 7, 2010 regular meeting were presented for approval. Settle, seconded by Maddox, moved approval of the minutes as written. The members present all voting aye, the Vice-Mayor declared the motion carried.

With regard to the time limit policy for persons wishing to address the Board, Vice-Mayor Campbell communicated that five (5) minutes per side would be extended on controversial items with three (3) minutes for rebuttal per side.

The Consent Agenda (Item No. 1) was introduced for consideration, the items being as follows:

- A. Resolution adopting annual audit requirements
- B. Resolution authorizing the Mayor or Vice-Mayor to execute and deliver all bond documents authorized by Ordinance No. 38-10 and the performance of all obligations of the City thereunder
- C. Resolution to provide directions to City of Fort Smith staff and board representatives during any negotiations for the establishment of regional organizations
- D. Resolution accepting bid for the purchase of a mechanic lube/service truck (\$146,527.00)

- E. Resolution setting public hearing date on petition to vacate street right-of-way located in Mead's Addition, Block A, an addition to the city of Fort Smith, Arkansas
- F. Resolution authorizing a time extension, accepting completion of and authorizing final payment for the construction of Chad Colley Extension, Project No. 08-00C (\$6,782.92)
- G. Resolution authorizing the Mayor to enter into a lease agreement with the Sebastian County Aquatics Association for the diving well pool at Creekmore Park
- H. Resolution authorizing the Mayor to execute a trail easement with Boley R. Powers for the river water trail
- I. Resolution authorizing the Mayor to execute a recreational trail easement with Boley R. Powers for the river water trail
- J. Resolution authorizing acquisition of real property interests for the Sunnymede Basin Sewer Improvement Project (\$17,559.00)
- K. Resolution authorizing final payment to Kraus Construction Company, LLC, for construction of the Rye Hill Sewer Outfall Phase Two (\$51,516.00)

Regarding items H and I, Director Settle requested a brief overview of both items.

Parks & Recreation Director Mike Alsup advised that item H will provide an access to the Arkansas River beyond the parking lot at the Rice Carden Levee Walking Trail. The River Valley Chapter of the Arkansas Canoe Club plans to apply for a grant and raise funds for improvements providing a good access to the river for canoes and kayaks. This access is a key component of the proposed water trail on the Arkansas River from the Poteau River to Lock and Dam 13. Mr. Alsup advised that item I will provide for use of the islands west of the Rice Carden Levee Walking Trail along the Arkansas River. The River Valley Chapter of the Arkansas Canoe Club plans to develop a water trail for canoes and kayaks along the Arkansas River within the Fort Smith area. The easement will allow access to

the islands for paddlers as they travel down the river. Water trails are a popular outdoor recreation sport.

Director Tyler expressed appreciation to the River Valley Chapter, and volunteers with Parks Partners for their involvement with these projects as well as others.

Hutchings, seconded by Maddox, moved adoption of all consent agenda items. The members all voting affirmatively, the Vice-Mayor declared the motion carried, and the resolutions were adopted and numbered R-170-10 through R-180-10 respectively.

Vice-Mayor Campbell opened the Officials Forum with the following comments offered:

- ▶ Vice-Mayor Campbell reminded of the election today for school board members, and that the voting precincts are open until 7:30 p.m.

An executive session was held and after reconvening, the Vice-Mayor announced the following appointment nominations:

**City Voting Delegates ~ National League of Cities**  
Directors Steve Tyler and Gary Campbell

**Fire Code Board of Appeals**  
reappointed Gene Nelson  
term expires October 31, 2014

Hutchings, seconded by Good, moved acceptance of the nominations. The members all voting aye, the Vice-Mayor declared the motion carried.

With regard to the time limit policy for persons wishing to address the Board in Citizens Forum, Vice-Mayor Campbell communicated that two (2) minutes will be allotted to each person wishing to speak.

Vice-Mayor Campbell opened the Citizens Forum with the following individuals present to address the Board;

- Eric Arthur  
815 North B Street

Suggested that the Marshal's Museum temporarily occupy a vacant building near *21 West End*. Good location with a lot of activities already going on that bring people downtown. The museum would benefit from this.

- John Hamel  
9200 Rogers Avenue and 3301 Old Greenwood Road

1. Addressed bond issues and inquired if the City was considering refinancing to save money.
2. Does not like the automated sanitation containers, stating they're too big/too heavy.

- Paul Speer  
Charleston, Arkansas

Addressed refinancing of city bonds, noting that the Charleston School District had recently done so to save money.

In response to the bond refinancing, Deputy Administrator Gosack advised that there are several factors involved in determining whether it's economically feasible to refinance bonds. The City regularly reviews its debt portfolio to see if there are opportunities to save money from bond refinancing. The last such review was in January of this year. One bond was not eligible due to IRS regulations; the others already had low interest rates or the maturity of the bond was so short that the savings from refinancing would not overcome the cost of reissuing. It would be more costly to taxpayers to refinance.

- Jerry Hamel  
4618 Wheeler Avenue

1. Sanitation containers need to be smaller for the convenience of senior citizens.
2. Congratulated the Board on the positive manner in which the meetings have been conducted over the past year.

- Tammy Trouillon  
8000 Holly Avenue

Recommended that the City establish an animal services advisory board. She advised that the City of Fayetteville established such a board in 2009, working directly with animal control, the city council, and citizens to address animal issues. Information is available on that city's website.

- Sharon Selig  
401 South 17<sup>th</sup> Street

Expressed much concern for excessive speeding and other issues in the neighborhood. She is worried about the safety of children in the neighborhood, and also advised that several cats, mostly strays, have been hit by speeding motorists. Ms. Selig noted that she has spent a considerable amount in veterinary bills to get the cats altered in order to find them homes. She also advised that persons are loitering in the alley behind her home, not sure what they're up to. Ms. Selig indicated that she has made calls to the City but the problems continue.

Police Chief Kevin Lindsey advised Ms. Selig that he would be glad to meet with her to address the issues raised.

- Liz Berry-Armstrong  
141 North 51<sup>st</sup> Street

Addressed issues concerning Rose Lawn Cemetery (a privately owned cemetery located at North O Street & Waldron). She spoke of overgrown conditions and free standing water between Rose Lawn and the adjoining Holy Cross (Catholic) Cemetery. The state cemetery board has been contacted not only about this situation but other matters concerning the cemetery that are not within the City's control; however, the cemetery board has advised that the City is not prohibited from enforcing any ordinances it has regarding care of property within Fort Smith city limits.

Administrator Kelly acknowledged recent emails received from Ms. Berry-Armstrong, advising that the appropriate City staff had been contacted to respond, and that he would be getting back with her very soon.

- Carolyn Plank  
1014 North 12<sup>th</sup> Street

Extended appreciation for involvement by Board members who have attended neighborhood coalition meetings, and their concerns for neighborhood issues.

There being no further business to come before the Board, Maddox moved that the meeting adjourn. The motion was seconded by Hutchings, and the members all voting aye, the Vice-Mayor declared the motion carried, and the meeting stood adjourned.

APPROVED:

  
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VICE-MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY CLERK