

MINUTES OF THE BOARD OF DIRECTORS REGULAR MEETING

TUESDAY ~ APRIL 16, 2013 ~ 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 Pastor Phillip Blackburn of First Presbyterian 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, Pam Weber, Kevin Settle and Philip H. Merry, Jr. The Mayor declared a quorum present.

The Mayor 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 April 2, 2013 regular meeting were presented for approval. Good, seconded by Lorenz, moved approval of the minutes as written. The members all voting aye, the Mayor declared the motion carried.

With regard to the time limit policy for persons wishing to address the Board, the Mayor communicated that five (5) minutes per side would be granted for controversial items with three (3) minutes for rebuttal per side, and two (2) minutes for comments only.

Item No. 1 was an ordinance authorizing transfers to the Employee Health and Wellness Fund ~ *Weber / Merry placed on agenda at the April 9, 2013 study session ~*

City Administrator Ray Gosack briefed the Board on the item as discussed at the April 9, 2013 study session. The Employee Health and Wellness Fund requires an additional \$800,000 to meet its estimated claim expenses for 2013. Upon approval, the proposed ordinance authorizes the transfer of \$454,000 from the Workers' Compensation Fund and \$346,000 from various other funds to address the anticipated shortfall.

April 16, 2013 Regular Meeting

Settle, seconded by Merry, moved adoption of the ordinance. The members all voting affirmatively, the Mayor declared the motion carried and the ordinance was adopted and given No. 18-13.

The Consent Agenda (Item No. 2) was introduced for consideration, the items being as follows:

- A. Resolution authorizing additional work and a time extension for the construction of the May Branch Outfall Culvert Replacement, Project No. 12-06-E (*\$361,516.00 / Engineering Department / Budgeted - Sales Tax Program Fund*)
- B. Resolution to accept completion of and authorize final payment for the construction of Street Overlays/Reconstruction, Project 12-03-A (*\$59,222.64 / Engineering Department / Budgeted - Sales Tax Program Fund*)
- C. Resolution accepting bid for the purchase of an excavator (*\$91,735.00 / Utility Department / Budgeted - Operating Fund / Capital Outlay*)
- D. Resolution approving a tolling agreement with the United States Department of Justice relating to wet weather sanitary sewer work
- E. Resolution authorizing the Mayor to execute Authorization No. 4 to the agreement with Hawkins-Weir Engineers, Inc. for engineering services for the Zero Street Pump Station Wet Weather Improvements - Pump Station and EQ Storage (*\$1,231,400.00 / Utility Department / Budgeted - 2012 Sales and Use Tax Bonds*)
- F. Resolution accepting the bid of and authorizing the Mayor to execute a contract with Archer Western Contractors, LLC for the Zero Street Pump Station Wet Weather Improvements - Pump Station and EQ Storage (*\$12,193,000.00 / Utility Department / Budgeted - 2012 Sales and Use Tax Bonds*)
- G. Resolution authorizing the Mayor to execute a Restrictive Covenant, Notice of Implementing Agreement and Notice of Property Development Decision Document for the Arkansas

April 16, 2013 Regular Meeting

Brownsfield Program with the Arkansas Department of Environmental Quality in connection with the Zero Street Pump Station Wet Weather Improvements

- H. Resolution accepting the project as complete and authorizing final payment to Forsgren, Inc. for construction of the River Front Development Water and Sewer Extensions (\$99,526.05 / Utility Department / Budgeted - 2008 Revenue Bonds)

Regarding Items No. 2E and 2F, Director Settle requested Director of Utilities Steve Parke provide a brief explanation of and anticipated benefits of the project.

Mr. Parke addressed the Board advising the project is a key component of the City's strategy to reduce collection system overflows in the area. The improvements include a combination of relief sewers to convey greater volumes of collection, upgrading the Zero Street pump station and installation of two (2), five (5) million gallon equalization tanks. Such will provide greater pumping ability and increased short-term storage. The subject property, acquired for the equalizations tanks via participation in the Arkansas Brownsfield Program, may contain enough excess property to allow for future recreational opportunities.

Weber, seconded by Good, moved adoption of all consent agenda items. The members all voting affirmatively, the Mayor declared the motion carried and the resolutions were adopted and numbered R-55-13 through R-62-13 respectively.

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

◆ Director Good

Re: Announced that Drury University recently won the NCAA Mens Basketball Division II Championship. Two (2) of the team members are from Fort Smith, Ian Carter, who graduated from Northside High School, and Cameron Adams, who graduated from Southside High

April 16, 2013 Regular Meeting

School. Due to such, he recommended both players be invited to attend and be recognized at a regular meeting in the near future.

◆ Director Weber

Re: Encouraged citizens to participate in the Spring Cleanup event on April 20, 2013 hosted by Beautify Fort Smith. Participants are asked to meet at Martin Luther King Park at 8:00 a.m. to pick up supplies for the cleanup.

◆ Director Merry

Re: Acknowledged the recent passing of Cindy Bagby, who contributed much to the community citing many youth have "*brighter futures because of her.*"

◆ Administrator Gosack

Re: Announced no study session will be held on Tuesday, April 23; however, he advised a study session will be held at 12:00 Noon, Tuesday, April 30 at the Elm Grove Community Center.

There being no further business to come before the Board, Lau moved that the meeting adjourn. The motion was seconded by Lorenz, and the members all voting aye, the Mayor declared the motion carried and the meeting stood adjourned at 6:13 p.m.

APPROVED:

MAYOR

ATTEST:


CITY CLERK