

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

**TUESDAY ~ JUNE 18, 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 Reverend Don Moore of The Healing Place, 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 Phillip 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 June 4, 2013 regular meeting were presented for approval. Weber, seconded by Good, moved approval of the minutes as written. The members all voting aye, the Mayor declared the motion carried.

Item No. 1 was a formal presentation of the 2012 Audit (*Comprehensive Annual Finance Report – CAFR*)

Director of Finance Kara Bushkuhl reviewed the information citing an electronic copy of the CAFR was previously provided to the Board, and a hard copy is available upon request. Ms. Bushkuhl advised there were no significant findings; however, two deficiencies were identified which will be addressed this year. It has been reviewed by the Audit Advisory Committee (AAC) on which Directors Weber, Settle and Lorenz serve.

Mr. Ken Pyle, Chair of the AAC, also addressed the Board citing the AAC has thoroughly reviewed the audit and no significant issues or adjustments are

**June 18, 2013 Regular Meeting**

recommended. Mr. Pyle did, however, recommend consideration of an active succession plan for the Finance Department.

Director Settle and Weber offered much appreciation to the AAC and the Finance Department for their service.

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

- A. Resolution authorizing the Mayor to enter into a lease agreement with the Sebastian County Aquatics Association for the diving well pool at Creekmore Park
- B. Resolution authorizing an amendment to the agreement with Western Arkansas Tennis Association regarding annual reporting requirements for operation of the Tennis Center at Creekmore Park
- C. Resolution to accept completion of and authorize final payment for the construction of 2012 Street Striping Replacement, Project No. 12-85-A (\$11,057.33 / *Engineering Department / Budgeted – Sales Tax Program Fund*)
- D. Resolution authorizing a time extension for the Rice Carden Levee Improvements, Project No. 06-06-A (26 days)
- E. Resolution accepting completion of and authorizing final payment for the Rice Carden Levee Improvements, Project No. 06-06-A (\$24,796.48 / *Engineering Department / Budgeted – Sales Tax Program Fund*)
- F. Resolution authorizing a change order for the construction of Street Overlays / Reconstruction, Project No. 12-03-C (\$30,738.64 / *Engineering Department / Budgeted – Sales Tax Program Fund*)
- G. Resolution accepting completion of and authorizing final payment for the construction of Street Overlays / Reconstruction Project No. 12-03-C (\$48,512.16 / *Engineering Department / Budgeted – Sales Tax Program Fund*)

**June 18, 2013 Regular Meeting**

- H. Resolution authorizing the acquisition of real property interests for Jenny Lind Road and Ingersoll Avenue Widening, Project No. 07-01-A (\$162,400.00 / *Engineering Department / Budgeted – Sales Tax Program Fund*)
- I. Resolution authorizing the City Administrator to acquire property rights necessary for Rowe Avenue/Mary Street Drainage Improvements, Project No. 11-06-A (\$5,000.00 / *Engineering Department / Budgeted – Sales Tax Program Fund*)
- J. Resolution authorizing an amendment to the engineering services agreement for the Town Branch Drainage Improvements, Project No. 11-06-B (\$122,780.00 / *Engineering Department / Budgeted - Sales Tax Program Fund*)
- K. Resolution authorizing an amendment to the engineering services agreement for the 2013 Neighborhood Drainage Improvements, Phase B, Project No. 13-06-B (\$19,245.00 / *Engineering Department / Budgeted - Sales Tax Program Fund*)
- L. Resolution authorizing the execution of a non-residential solid waste collection and disposal permit and agreement with DC Trash Service of Morrilton, Inc.
- M. Resolution accepting bids and authorizing the Mayor to enter into a contract for the construction of the Fort Smith Landfill Scale Facility (\$3,074,259.93 / *Sanitation Department / Budgeted – Sanitation Sinking Fund for Landfill Construction*)
- N. Resolution authorizing a temporary extension of the memorandum of understanding with the United States Coast Guard Auxiliary Flotilla 15-5 located at 3802 Grand Avenue
- O. Resolution accepting bid for the purchase of hydraulic boom truck (\$312,333.00 / *Utility Department / Budgeted – Capital Outlay Fund*)
- P. Resolution authorizing the City Administrator to accept an offer made by a property owner for the acquisition of real property interests for the Sunnymede Basin Neighborhood Sewer Improvements - Phase I (\$717.00 / *Utility Department / Budgeted – 2012 Sales and Use Tax Bonds*)

**June 18, 2013 Regular Meeting**

- Q. Resolution authorizing the City Administrator to accept an offer made by a property owner for the acquisition of real property interests for the Zero Street Outfall Phase II Sewer Improvements Project (\$6,500.00 / Utility Department / Budgeted - 2012 Sales and Use Tax Bonds)
- R. Resolution authorizing Amendment No. 1 to Authorization No. 1 with Morrison Shipley Engineers, Inc. for engineering services for Pump Station No. 19 Force Main Replacement (\$17,000.00 / Utility Department / Budgeted – 2012 Sales and Use Tax Bonds)
- S. Resolution authorizing Contract Addition No. 1 for the construction of an elevator and associated ADA facility enhancements to the transit facility located at 6821 Jenny Lind Road, Project No. 12-26 (\$29,582.00 / Transit Department / Budgeted – 2012 General Fund & Federal Transit Administration 90% reimbursement)

Regarding Item No. 2M, the following individual was present to address the Board:

- David Harris  
Fort Smith, Arkansas

Re: Spoke in opposition to the inclusion of a public restroom and rest area citing such is merely for the landfill customer convenience; therefore, should not be included in the project.

Settle, seconded by Lorenz, 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-82-13 through R-100-13 respectively.

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

- ♦ Mayor Sanders
  - Re: 1. Noted Answer Fort Smith and Mercy Hospital recently announced the creation of approximately 190 new jobs (combined). He advised that in the past seven (7) months, similar announcements have been offered resulting in the creation of nearly 1,000 new

jobs; therefore, *“good things are happening in Fort Smith.”*

2. Reminded of the following recent or upcoming events:

- June 9: Elks Club held their annual Flag Day ceremony at the National Historic Site.
- June 13: Award ceremony for Wal-Mart Distribution Center in Fort Smith, who received the “One Million Work Hours Safety Award”. Employees accumulated 1 million work hours without a lost day away from work due to a work-related injury or illness over a period of 5 years.
- June 14-16: Championship swim meet at Creekmore Park hosted by the Fort Smith Tideriders. The event consisted of 475 entries, which resulted in approximately 2,000 visitors coming to Fort Smith. Due to such, he extended much appreciation to Ian Bullock with the Fort Smith Tideriders and the Parks Department for the successful event.
- June 15: Ken Colley inauguration as the Fort Smith Rotary Club District Governor for 2013-2014.
- June 17: Arkansas State Highway and Transportation Department relocated their District 4 offices to a District Headquarters Complex at Chaffee Crossing.
- June 21-23: The Arkansas Chapter of Beta Sigma Phi will be hosting their annual convention in Fort Smith.
- July 4: Annual Mayors 4th of July Celebration at Harry E. Kelley Park. Live music begins at 7:00 p.m. and the fireworks display will begin at 9:30 p.m.

♦ Administrator Gosack

Re: Advised of a recent meeting with the 188<sup>th</sup> Community Council, who provided an update regarding the 188<sup>th</sup> Fighter Wing whereby the following announcements were offered:

1. The remote pilot air craft mission is planned to be fully operational by 2018
2. An intelligence squadron will be transferring from Little Rock to Fort Smith, which will create additional positions with the 188<sup>th</sup>.
3. The 188<sup>th</sup> will be the first unit in the entire Air Force worldwide to receive a targeting mission, which indicates the Pentagon's confidence in 188<sup>th</sup>'s capabilities.

The Board convened into executive session at approximately 6:15 p.m. and after reconvening, Mayor Sanders announced the following appointment nominations:

**COMMUNITY DEVELOPMENT ADVISORY COMMITTEE**

Nichelle Christian  
Term expires June 30, 2016

**HISTORIC DISTRICT COMMISSION**

David Kerr  
Term expires July 31, 2016

**MECHANICAL BOARD OF ADJUSTMENTS AND APPEALS**

Ted Neal (reappointment)  
Mike Locknar  
Greg Williams (reappointment)  
Terms expire July 31, 2018

**OUTSIDE AGENCY REVIEW PANEL**

Charollette Tidwell (reappointment)  
Term expires July 17, 2014  
Janice Sudbrink  
Term expires August 23, 2014

**TRANSIT ADVISORY COMMISSION**

Randy Burress (reappointment)

Charles Poole (reappointment)

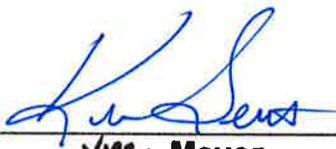
Terms expire July 15, 2016

Merry, seconded by Good, moved acceptance of all appointment nominations.

The members all voting aye, the Mayor declared the motion carried.

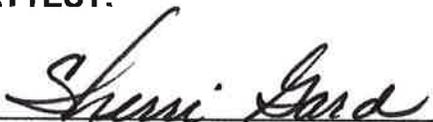
There being no further business to come before the Board, Catsavis moved that the meeting adjourn. The motion was seconded by Merry, and the members all voting aye, the Mayor declared the motion carried and the meeting stood adjourned at 6:22 p.m.

**APPROVED:**



\_\_\_\_\_  
Vice - Mayor

**ATTEST:**



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City Clerk