

MINUTES OF THE BOARD OF DIRECTORS REGULAR MEETING

TUESDAY ~ JULY 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 Worship Pastor Deron Freeman of Harvest Time, 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.

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 July 9, 2013 regular meeting were presented for approval. Catsavis, seconded by Lorenz, moved approval of the minutes as written. The members all voting aye, the Mayor declared the motion carried.

Item No. 1 consisted of the following presentations:

- 1A. Recognition of 40th Anniversary of the Belle Grove Historic District:
(Reception held prior to the meeting at 5:30 p.m.)

Recognized all members of the Historic District Commission and presented a proclamation declaring July 16, 2013 as "*Belle Grove Historic District's 40th Anniversary as a Nationally Registered Historic District Day*" to Historic District Commission Chairman Graham Sharum, and other members present, Joan Mawn and Scott Martin.

The Mayor also recognized Belle Grove Historic District residents Rick and Linda Wells for their many contributions to the historic district citing they have renovated and maintained thirteen (13) properties. Due to such, he presented a proclamation also declaring July 16, 2013 as "*Rick and Linda Wells Day*".

- 1B. Fort Smith Riverfront Blues Society recognition to the City of Fort Smith for its support of the 23rd Annual Riverfront Blues Festival (June 21 - 22, 2013)

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Members of the Fort Smith Riverfront Blues Society Dwight Hopkins, Danielle Rogers, Jeanne Boyett, Charles Alley and Eric Riggs extended much appreciation to the City of Fort Smith for its contributions associated with the Blues Festival; therefore, presented a framed poster of the 2013 Blues Festival with autographs from the artists to the Mayor and Board of Directors.

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. 2 was an ordinance amending Chapter 25, Article VII, of the Fort Smith Municipal Code to amend Section 25-261 regarding the definitions pertaining to solid waste services ~ *Settle/Good placed on agenda at the June 11, 2013 study session* ~

**** Second Reading ****

City Administrator Ray Gosack briefed the Board on item advising such is the scheduled second reading of the ordinance, which did not obtain the five (5) affirmative votes required for passage on its first reading at the July 9, 2013 regular meeting. Concerns expressed at said meeting consisted of the alleged non-existence of an appeal process for determinations made by the Sanitation Department. Due to such, he clarified the initiated ordinance passed by voters at the 2012 general election regarding automated sanitation service actually included an appeal process.

Due to the inclusion of an appeal process in the citywide automated collection ordinance passed by voters at the 2012 general election and because other concerns (*trash can location*) are scheduled for discussion at the August 13, 2013 study session, Director Weber conveyed no opposition to the proposed ordinance.

Weber, seconded by Catsavis, moved adoption of the ordinance. The motion included suspending the rule to allow the three (3) full readings of the ordinance to be by

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caption and for the readings to occur on the same date. The City Clerk read the ordinance for its second reading and the members voted as follows: ayes - Lau, Good, Lorenz, Catsavis, Weber and Settle; nays - Merry. The Mayor declared the motion carried and the ordinance was adopted and given Ordinance No. 29-13.

The Consent Agenda (Item No. 3) was introduced for consideration, the items being as follows:

- A. Ordinance to abandon water and sanitary sewer easements located in Lot 3, Corrected Plat of Braums Shelby Addition, an addition to the City of Fort Smith, Sebastian County, Arkansas (1400 Zero Street)
- B. Resolution accepting the bid and authorizing the Mayor to execute a contract for repairs to the city parking facility at 700 Rogers Avenue (\$ / Planning Department / Budgeted - Parking Authority Fund) ~ WITHDRAWN ~
- C. Resolution accepting the bid and authorizing a contract with LJB Construction Inc. for the construction of Ben Geren Softball Addition (\$1,231,845.00 / Parks Department / Budgeted - 1/8 % Sales and Use Tax)
- D. Resolution accepting the bid for the purchase of lighting fixtures from Musco Sports Lighting LLC for the Ben Geren Softball Field Addition (\$126,212.50 / Parks Department / Budgeted - 1/8 % Sales and Use Tax)
- E. Resolution authorizing execution of agreements with Oklahoma Gas and Electric company and agreement with Fort Chaffee Redevelopment Authority regarding underground electrical service for Fire Station No. 11

Mayor Sanders announced that Item No. 3B has been withdrawn from consideration.

Settle, seconded by Lorenz, moved adoption of all consent agenda items except Item No. 3B, which was withdrawn from consideration. The members all voting affirmatively, the Mayor declared the motion carried and the ordinance and resolutions

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were adopted with the ordinance given No. 30-13 and the resolutions numbered R-108-13 through R-110-13 respectively.

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

◆ Mayor Sanders

Re: Expressed much appreciation to Director / Vice-Mayor Settle for chairing the July 9, 2013 regular meeting in his absence.

The Board entered into an executive session at approximately 6:14 p.m. and after reconvening, Mayor Sanders announced the following appointment nominations:

PARKS AND RECREATION COMMISSION

Sherry L. Toliver
Term expires August 31, 2018

PLANNING COMMISSION

Michelle Stockman-Hood
(to fill the unexpired term of John Huffman who resigned)
Term expires April 30, 2014

PROPERTY OWNERS APPEAL BOARD

Joel Culberson
Term expires July 14, 2018

Merry, seconded by Weber, moved acceptance of all appointment nominations. The members all voting aye, the Mayor declared the motion carried.

With regard to the performance evaluation of Administrator Gosack, Mayor Sanders announced the Board is "very pleased" with Mr. Gosack's performance. Since Mr. Gosack has not had a pay increase since his appointment as City Administrator, the Board recommends a 2 ½ % pay increase to be effective August 1, 2013.

Merry, seconded by Lorenz, moved approval of a 2 ½ % pay increase for the City Administrator to be effective August 1, 2013. The members all voting aye, the Mayor declared the motion carried.

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There being no further business to come before the Board, Settle 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 8:09 p.m.

APPROVED:


MAYOR

ATTEST:


CITY CLERK