

AGENDA ~ **Summary** ~

FORT SMITH BOARD OF DIRECTORS REGULAR MEETING

March 1, 2011 ~ 6:00 P.M.

**FORT SMITH PUBLIC SCHOOLS
SERVICE CENTER
3205 JENNY LIND ROAD**

THIS MEETING IS BEING TELECAST LIVE ON THE CITY CABLE ACCESS CHANNEL 6

INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

All present except Director Phillip Merry

**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 City Access Channel 6 or
City website*

**APPROVE MINUTES OF THE FEBRUARY 15, 2011 REGULAR MEETING AND THE
FEBRUARY 22 & 24, 2011 SPECIAL MEETINGS**

Unanimously approved as written

ITEMS OF BUSINESS:

1. Ordinance rezoning identified property and amending the zoning map (*from Extra Territorial Jurisdiction Open-1 (ETJ O-1) to Extra Territorial Jurisdiction Industrial Light (ETJ I-1) by extension located at 6614, 6315, 6411, 6511, 6601, 6607, 6214, 6706, 6404, 6504; 6637 Old Harrison Lane; and, 12417 and 12525 Highway 71 South*) ~ *Appeal of Planning Commission denial ~ ~Tabled at February 3, 2011 regular meeting ~*
Approved 6 in favor, 0 opposed to table to the April 5, 2011 regular meeting, as requested by the applicant
2. Ordinance rezoning identified property and amending the zoning map (*from Not Zoned to Commercial-3 by classification located at 8400 Zero Street*)
Approved 6 in favor, 0 opposed / Ordinance No. 15-11

3. Ordinance rezoning identified property and amending the zoning map (*from Commercial-5 to RS-3 by classification located at 1205 Brazil Avenue*)
Approved 6 in favor, 0 opposed / Ordinance No. 16-11
4. Ordinance amending the 2009 Unified Development Ordinance of the City of Fort Smith (*Landscaping & Parking Lot Screening*)
Approved 5 in favor, 1 opposed (Catsavis) / Ordinance No. 17-11
5. Consent Agenda
 - A. Resolution granting a temporary revocable license for the placement of an overhead conveyor tunnel across a public right-of-way and two support columns within a public right-of-way and authorizing the Mayor to execute agreement (*Baldor Electric Company, 5711 R.S. Boreham, Jr. Street*)
Approved 6 in favor, 0 opposed / Resolution No. R-41-11
 - B. Resolution accepting completion of and authorizing final payment for the construction of the Town Branch Storm Sewer and Manhole Cleaning, Project No. 10-06-C (\$187,743.93)
Approved 6 in favor, 0 opposed / Resolution No. R-42-11
 - C. Resolution to accept the bids and authorize a contract for the construction of Drainage Improvements, Phase II, Project No. 10-06-D (\$539,048.60)
Approved 6 in favor, 0 opposed / Resolution No. R-43-11
 - D. Resolution authorizing the Mayor to execute a non-exclusive fiber optics network franchise agreement with Windstream KDL, Inc.
Approved 6 in favor, 0 opposed / Resolution No. R-44-11
 - E. Resolution authorizing the purchase of four (4) tandem axle dump trucks ~ *Utility Department* ~ (\$388,790.80)
Approved 4 in favor, 2 opposed (Catsavis & Settle) / Resolution No. R-45-11
 - F. Ordinance authorizing the purchase of fifty-eight mobile data terminal laptops, and fifty-eight vehicle mounting brackets, as well as the software and licenses, and related equipment from Dell for use by the Fort Smith Police Department in the River Valley Mobile Data Project and appropriating funds for the authorized purchase
Approved 6 in favor, 0 opposed as revised to correct the amount / Ordinance No. 18-11
 - G. Resolution authorizing the City Administrator to accept an offer made by a property owner for the acquisition of real property interests for the Lift Station 7 & 14 Replacement/Consolidation (\$3,250.00)
Approved 6 in favor, 0 opposed / Resolution No. R-46-11

- H. Ordinance authorizing the appropriation of funds from the unobligated balance of the Water and Sewer Fund, accepting the bid of and authorizing a contract with Goodwin & Goodwin, Inc. for the South 5th Street water line replacement (\$165,000.00)
Approved 6 in favor, 0 opposed / Ordinance No. 19-11
- I. Resolution regarding a Water and Sewer Operations Efficiency Study
Approved 6 in favor, 0 opposed / Resolution No. R-47-11

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

- A. Mayor
- B. Directors
- C. City Administrator

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- 6. Ordinance amending the Master Land Use Plan map and rezoning identified property and amending the zoning map (*Master Land Use Plan – Extra Territorial Jurisdiction Low Density Residential to Residential Detached, Residential Attached and Commercial Neighborhood; Rezoning – Extra Territorial Jurisdiction Open-1 (ETJ O-1) to RS-3 by extension; RS-4, RS-5, RM-3, RSD-3 and Commercial-2 by classification / 12905 Rye Hill Road, Middleton Farms*) ~ Tabled at February 3, 2011 regular meeting; First reading at the February 15, 2011 regular meeting ~ ** Second reading **
Second reading only ~ Third and final reading scheduled for the March 15, 2011 regular meeting

**CITIZENS FORUM ~ presentation of information by citizen ~ an opportunity for citizens to present matters to the Mayor and Board of Directors which involve the city government and are not directly related to items considered on the agenda for this meeting. Presentations are limited to 2 minutes for each citizen
(Section 2-44(b) of Ordinance No. 24-10)**

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ADJOURN