

# **AGENDA ~Summary~**

## **FORT SMITH BOARD OF DIRECTORS REGULAR MEETING**

***March 15, 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**

- Moment of silence in honor of former mayor, Ray Baker

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

*All present*

### **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 MARCH 1, 2011 REGULAR MEETING**

*Unanimously approved as written*

### **ITEMS OF BUSINESS:**

1. Presentation: Central Business Improvements District to present check to City of Fort Smith Parks Department (\$4,238.93)
2. Items relative to animal control regulations
  - A. Ordinance amending Chapter 4, Article V, of the Fort Smith Municipal Code regulating animals to establish regulations for tethering dogs  
*Approved 5 in favor, 2 opposed (Hutchings & Settle) as amended to correct a grammatical error / Ordinance No. 20-11*

- B. Ordinance amending Chapter 4, Article I, of the Fort Smith Municipal Code regulating animals, establishing mandatory registration, spay and neuter regulations, and hobbyist permit for dogs and cats  
Approved 4 in favor, 3 opposed (Hutchings, Catsavis & Settle) / due to not receiving 5 affirmative votes to suspend with the full reading as required, the ordinance was read in its entirety for its first reading. The second reading will occur at the April 5, 2011 regular meeting.
  - C. Ordinance amending Chapter 4, Article I, of the Fort Smith Municipal Code to establish an Animal Services Advisory Board  
Approved 5 in favor, 2 opposed (Hutchings & Settle) / Ordinance No. 21-11
  - D. Ordinance amending Chapter 4, Article I, Section 4-1 of the Fort Smith Municipal Code regulating animals  
Approved 4 in favor, 3 opposed (Hutchings, Catsavis & Settle) / due to not receiving 5 affirmative votes to suspend with the full reading as required, the ordinance was read in its entirety for its first reading. The second reading will occur at the April 5, 2011 regular meeting.
3. Ordinance ordering the owners of certain dilapidated and substandard structures to demolish same, authorizing the City Administrator to cause the demolition of such structures to occur, and for other purposes (912 North 13<sup>th</sup> Street)  
Approved 7 in favor, 0 opposed / Ordinance No. 22-11
4. Consent Agenda
- A. Resolution authorizing a time extension for the construction of Street Overlays/Reconstruction, Project No. 10-03-A  
Approved 7 in favor, 0 opposed / Resolution No. R-48-11
  - B. Resolution accepting completion of and authorizing final payment for the construction of Street Overlays/Reconstruction, Project No. 10-03-A (\$17,527.58)  
Approved 7 in favor, 0 opposed / Resolution No. R-49-11
  - C. Resolution supporting the application of Mitsubishi Power Systems, Inc. to become a foreign trade zone subzone  
Approved 7 in favor, 0 opposed / Resolution No. R-50-11
  - D. Resolution authorizing the purchase of a concrete mixer truck (\$132,575.91)  
Approved 7 in favor, 0 opposed / Resolution No. R-51-11

- E. Ordinance declaring an exceptional situation and waiving the requirements for competitive bidding for the “LED” signal lens replacement and maintenance and authorizing the Mayor to execute agreement with the Arkansas State Highway and Transportation Department (\$184,685)  
**Withdrawn**
- F. Resolution authorizing the execution of a Memorandum of Understanding between the City of Fort Smith, Arkansas and the City of Charleston, Arkansas concerning mobile data support  
**Approved 7 in favor, 0 opposed / Resolution No. R-52-11**
- G. Resolution authorizing the Mayor to enter into a Memorandum of Understanding with the United States Department of Energy, National Nuclear Security Administration and Office of Secure Transportation for the use of Fort Smith Transit property at 6821 Jenny Lind to conduct drive training using semi tractor trailers  
**Approved 7 in favor, 0 opposed / Resolution No. R-53-11**
- H. Ordinance declaring an exceptional situation and waiving the requirements for competitive bidding for the lease purchase of radio communication equipment and authorizing the Mayor and City Administrator to negotiate and execute all necessary lease documents regarding said agreement  
**Approved 6 in favor, 1 opposed (Catsavis) / Ordinance No. 23-11**
- I. Resolution authorizing partial payment to Crossland Heavy Contractors, Inc. for construction of the Lake Fort Smith Water Treatment Plant – Contract 3 (\$1,048,524.38)  
**Approved 7 in favor, 0 opposed / Resolution No. R-54-11**
- J. Resolution authorizing the Mayor to execute Authorization Number Two with Camp Dresser & McKee, Inc. for providing engineering services associated with the Mill Creek Wastewater Pump Station Wet Weather Improvements (\$459,100.00)  
**Approved 7 in favor, 0 opposed / Resolution No. R-55-11**
- K. Resolution authorizing the City Administrator to accept offer made by property owner for the acquisition of real property interests for the Lake Fort Smith Water Supply (\$165,000.00)  
**Approved 7 in favor, 0 opposed / Resolution No. R-56-11**

**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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**EXECUTIVE SESSION**

- Appointments: **ADVERTISING AND PROMOTION COMMISSION**  
Tom J. Caladera (reappointed)  
Ronnie Townsend (reappointed)  
Terms expires December 21, 2014  
  
**CIVIL SERVICE COMMISSION**  
Sister Judith Marie Keith (reappointed)  
Marty Shell  
Terms expires March 31, 2017  
  
**ELECTRIC CODE APPEALS BOARD**  
Frank Glidewell (reappointed)  
Tommy Hill  
Terms expires March 31, 2016  
  
**PLANNING COMMISSION**  
Mike Lorenz (reappointed)  
Thomas E. Howard  
Vicki Newton  
Terms expires April 30, 2014
  
- 5. 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 at the March 1, 2011 regular meeting ~ \*\* Third and final reading \*\*  
**Defeated 3 in favor, 3 opposed (Tyler, Good & Catsavis), 1 abstention (Weber)**

**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**