

AGENDA ~ *Summary*

FORT SMITH BOARD OF DIRECTORS REGULAR MEETING

August 16, 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 & 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 the City Access Channel 6 or City website

APPROVE MINUTES OF THE AUGUST 2, 2011 REGULAR MEETING

Unanimously approved as revised for minor typographical errors and as well as minor clarifications.

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 and March 1, 2011 regular meetings / Tabled for 4 months at the April 5, 2011 regular meeting / Tabled for 2 weeks at the August 2, 2011 regular meeting ~*

Motion to approve defeated 0 in favor and 7 opposed.

2. Items regarding Water and Sewer Efficiency Study
 - A. Ordinance amending the 2011 Budget
Approved 7 in favor, 0 opposed / Ordinance No. 63-11
 - B. Resolution authorizing a contract for a Water and Sewer Operations Efficiency Study (*Not to exceed \$114,180.00 / Utility Department / Not Budgeted – Water and Sewer Fund*)
Approved 7 in favor, 0 opposed / Resolution No. R-149-11
 - C. Resolution establishing citizens advisory committee for the Water and Sewer Efficiency Study
Approved 7 in favor, 0 opposed / Resolution No. R-150-11
3. Resolution endorsing the implementation of a one-percent (1%) tax of the gross receipts or gross proceeds from the sale of prepared food and beverages in the city of Fort Smith
Approved 6 in favor, 1 opposed (Catsavis) / Resolution No. R-151-11
4. Consent Agenda
 - A. Resolution authorizing a time extension for the construction of Street Overlays/Reconstruction, Project No. 10-03-B
Approved 7 in favor, 0 opposed / Resolution No. R-152-11
 - B. Resolution accepting completion of and authorizing final payment for the construction of Street Overlays/Reconstruction, Project No. 10-03-B (*\$24,905.93 / Engineering Department / Budgeted – Street Sales Tax Fund*)
Approved 7 in favor, 0 opposed / Resolution No. R-153-11
 - C. Resolution authorizing the offering of water and sewer revenue bonds to refund outstanding bonds; and prescribing other matters relating thereto
Approved 7 in favor, 0 opposed / Resolution No. R-154-11
 - D. Resolution authorizing the Mayor to enter into a facility use agreement with Joe Hartgraves for the operation of a private park
Approved 7 in favor, 0 opposed / Resolution No. R-155-11
 - E. Resolution authorizing the acquisition of real property known as the McClure Amphitheater at Chaffee Crossing, authorizing a maintenance agreement with Forth Chaffee Redevelopment Authority for the acquired property, authorizing a lease agreement with Sebastian County for property located adjacent to the acquired property, and establishing a

usage fee for the McClure Amphitheater (*Parks Department / Not Budgeted – Property Donation to City of Fort Smith*)
Approved 7 in favor, 0 opposed / Resolution No. R-156-11

- F. Ordinance authorizing the purchase of two (2) Dodge Ram 1500 pickup trucks and related equipment for use by the Fort Smith Police Department Animal Control Unit (*\$57,818.00 / Police Department / Not Budgeted – Federal Asset Forfeiture Fund*)
Approved 7 in favor, 0 opposed / Ordinance No. 64-11
- G. Ordinance authorizing the purchase of a 911 communications recording system for use by the Fort Smith Police Department (*\$79,564.00 / Police Department / Not Budgeted – \$75,000.00 Justice Assistance Grant (JAG) and \$4,564 Federal Asset Forfeiture Fund*)
Approved 7 in favor, 0 opposed / Ordinance No. 65-11
- H. Resolution adopting the Sebastian County Hazard Mitigation Plan updates (v2) for the City of Fort Smith, Arkansas
Approved 7 in favor, 0 opposed / Resolution No. R-157-11
- I. Resolution allowing the sale of surplus vehicles and equipment at public auction
Approved 7 in favor, 0 opposed / Resolution No. R-158-11
- J. Resolution accepting bids for the purchase of water and wastewater chemicals for 2011-2012 (*Annual bid / Utilities Department / Budgeted - Water & Sewer Operating Fund*)
Approved 7 in favor, 0 opposed / Resolution No. R-159-11
- K. Resolution accepting bids for the purchase of trucks (*\$58,149.25 / Utilities Department / Budgeted – Line Items 301 and 302; and, \$21,575.00 / Street Department / Budgeted – Sinking Fund*)
Approved 7 in favor, 0 opposed / Resolution No. R-160-11
- L. Resolution authorizing the filing of action to foreclose cleanup liens on real property in the City of Fort Smith located at 9917 Jenny Lind Avenue
Approved 7 in favor, 0 opposed / Resolution No. R-161-11
- M. Resolution authorizing Change Order Number One with Blake Construction, Inc. for the Rye Hill Sewer Outfall Phase III (*-\$27,323.20 / Utility Department / Budgeted - 2008 Revenue Bonds*)
Approved 7 in favor, 0 opposed / Resolution No. R-162-11
- N. Resolution accepting the project as complete and authorizing final payment to Blake Construction, Inc. for construction of the Rye Hill Sewer

Outfall Phase III (\$130,570.18 / Utility Department / Budgeted - 2008 Revenue Bonds)

Approved 7 in favor, 0 opposed / Resolution No. R-163-11

- O. Resolution authorizing Change Order Number Two with KAJACS Contractors, Inc. for the Zero Street Outfall Sewer Improvements Phase 1 (-\$72,718.88 / Utility Department / Budgeted - 2009 Sales Tax Bonds)

Approved 7 in favor, 0 opposed / Resolution No. R-164-11

- P. Resolution accepting the project as complete and authorizing final payment to KAJACS Contractors, Inc. for construction of the Zero Street Outfall Sewer Improvements Phase I (\$120,549.03 / Utility Department / Budgeted - 2009 Sales Tax Bonds)

Approved 7 in favor, 0 opposed / Resolution No. R-165-11

- Q. Resolution authorizing the Mayor to execute an agreement with Mickle Wagner Coleman, Inc. for design of the Highway 71 Interchange 12-Inch Water Line Relocation (\$43,596.00 / Utility Department / Not Budgeted - Capital Improvement Program Fund / 100% Reimbursed by AHTD)

Approved 7 in favor, 0 opposed / Resolution No. R-166-11

5. Discussion regarding emergency demolition of the former Mallalieu Church building located at 800 North 9th Street

The board concurred to consider an ordinance declaring an exceptional situation waiving the requirements of competitive bidding, authorizing a contract with controlled environmental solutions, Inc. for emergency demolition of the building at 800 North 9th Street, and appropriating funds.

Approved 6 in favor, 1 opposed (Settle) / Ordinance No. 66-11. This ordinance was approved with a provision that the façade be preserved and direction to staff to initiate necessary action for a preservation contract. Said contract may require consideration at a special meeting.

**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:

AIRPORT COMMISSION

Mac McGhee

Term Expires June 30, 2013

ANIMAL SERVICES TASK FORCE

Tammy Trouillon

Joel Culberson

Patrick Jacobs

Mike Thames

Daniel K. Jones

Jon Remer

Ken Kupchick

Terminate upon the completion of its work; task force shall complete work within 30 days from the date of its first meeting.

CITIZENS FORUM ~ presentation of information by citizens ~ 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

8:37p.m.