



Mayor - Sandy Sanders

City Administrator - Ray Gosack

City Clerk - Sherri Gard

**Board of Directors**

Ward 1 - Steve Tyler

Ward 2 - Andre' Good

Ward 3 - Don Hutchings

Ward 4 - George Catsavis

At Large Position 5 - Pam Weber

At Large Position 6 - Kevin Settle

At Large Position 7 - Philip H. Merry Jr.

***AGENDA ~ Summary***

**Fort Smith Board of Directors**

**Regular Meeting**

**October 2, 2012 ~ 6:00 P.M.**

**Fort Smith Public Schools Service Center**

**3205 Jenny Lind Road**

***THIS MEETING IS BEING TELECAST LIVE ON THE GOVERNMENT 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 SEPTEMBER 18, 2012 REGULAR MEETING**

**Unanimously approved as written**

**ITEMS OF BUSINESS:**

1. Oath of Office Ceremony: Fire Marshal Ronnie Rogers appointment to State Fire Prevention Commission *(appointed by Governor Mike Beebe)*  
**Oath of Office administered by District Judge David Saxon**
2. Ordinance rezoning identified property and amending the zoning map *(from Not Zoned to Transitional (T) by classification located at 8900 Massard Road)*  
**Approved 7 in favor, 0 opposed / Ordinance No. 73-12**
3. Ordinance approving development plan and rezoning identified property and amending the zoning map *(from Not Zoned to Commercial Employment Mixed Use (CEMU) by classification located at 7900 Collier Street)*  
**Approved 7 in favor, 0 opposed / Ordinance No. 74-12**

4. Ordinance rezoning identified property and amending the zoning map (*from Transitional (T) to Commercial Light (C-2) by extension located at 314 South 17th Street*)  
*Approved 7 in favor, 0 opposed / Ordinance No. 75-12*
5. Ordinance amending the 2009 Unified Development Ordinance of the City of Fort Smith (*Land Use Chart - Industrial Land Uses*)  
*Approved 7 in favor, 0 opposed / Ordinance No. 76-12*
6. Resolution approving and authorizing implementation of the five-year (2013-2017) Sales Tax Program for Streets, Bridges and related Drainage Improvements, and implementation of the 2013 Sidewalk Program ~ *Hutchings/Good placed on agenda at the September 25, 2012 study session ~*  
*Approved 7 in favor, 0 opposed / Resolution No. R-208-12*
7. Millage Ordinances
  - A. Ordinance fixing the rate of and levying five (5.0) mills upon all taxable real and personal property in the city of Fort Smith, Arkansas for the year 2012 for general purposes  
*Approved 7 in favor, 0 opposed / Ordinance No. 77-12*
  - B. Ordinance to levy one (1) mill tax upon each dollar of assessed value of taxable real and personal property to be used for maintenance of a public-city library pursuant to the provisions of Amendment No. 30 of the Constitution of the State of Arkansas of 1874 adopted November 5, 1940, and for other related purposes  
*Approved 7 in favor, 0 opposed / Ordinance No. 78-12*
  - C. Ordinance to levy one (1) mill tax upon each dollar of assessed value of taxable real and personal property for Police Retirement and Pension Fund, pursuant to the provisions of Amendment No. 31 of the Constitution of the State of Arkansas of 1874 adopted November 5, 1940, and for other related purposes  
*Approved 7 in favor, 0 opposed / Ordinance No. 79-12*
  - D. Ordinance to levy one (1) mill tax upon each dollar of assessed value of taxable real and personal property for Fire Retirement and Pension Fund, pursuant to the provisions of Amendment No. 31 of the Constitution of the State of Arkansas of 1874 adopted November 5, 1940, and for other related purposes  
*Approved 7 in favor, 0 opposed / Ordinance No. 80-12*
8. Consent Agenda
  - A. Resolution to accept completion of and authorize final payment for the construction of Traffic Signal Improvements, Project No. 11-09-A (\$68,870.72 / *Engineering Department / Budgeted - Sales Tax Program Fund*)  
*Approved 7 in favor, 0 opposed / Resolution No. R-209-12*

- B. Resolution to accept the bids and authorize contracts for the construction of the May Branch Outfall Culvert Replacement, Project No. 12-06-E (\$5,493,847.78 / *Engineering Department / Budgeted - Sales Tax Program Fund*)  
**Approved 7 in favor, 0 opposed / Resolution No. R-210-12**
- C. Resolution authorizing the acquisition of real property interests from David Love and Becky Love for Tract 5 of the City of Fort Smith Jenny Lind Road and Ingersoll Avenue Widening, Project No. 07-01-A, AHTD Job No. 040471 (\$1,000.00 / *Engineering Department / Budgeted - Sales Tax Program Fund*)  
**Approved 7 in favor, 0 opposed / Resolution No. R-211-12**
- D. Resolution authorizing the Mayor to execute a quitclaim deed conveying the Bailey Hill Reservoir property to the Fort Smith Housing Authority  
**Approved 5 in favor, 2 opposed (Catsavis & Merry) / Resolution No. R-212-12**
- E. Resolution accepting bid for the purchase of a street sweeper (\$197,947.20 / *Street Maintenance Department / Budgeted - Sinking Fund*)  
**Approved 7 in favor, 0 opposed / Resolution No. R-213-12**
- F. Resolution authorizing the Mayor to execute Authorization No. 3 to the agreement with Hawkins-Weir, Inc. for engineering services for the Zero Street Pump Station Wet Weather Improvements - Site Remediation (\$210,000.00 / *Utility Department / Budgeted - 2012 Sales Tax Bonds*)  
**Approved 6 in favor, 1 opposed (Catsavis) / Resolution No. R-214-12**
- G. Resolution authorizing the City Administrator to accept offer made by property owner for the acquisition of real property interests for the Chaffee Crossing Water Improvements (\$70,000.00 - *Utility Department / Budgeted - 2012 Sales Tax Bonds*)  
**Approved 7 in favor, 0 opposed / Resolution No. R-215-12**
- H. Resolution authorizing Amendment No. 2 to Authorization No. 2 with RJN Group, Inc. for engineering services for the South 28th Street Sewer Replacement Project (\$8,900.00 / *Utility Department / Budgeted - 2009 Sales Tax Bonds*)  
**Approved 7 in favor, 0 opposed / Resolution No. R-216-12**
- I. Resolution authorizing Change Order No. 3 with Forsgren, Inc. for the construction of the South 28th Street Sewer Replacement Project (*Adding days only*)  
**Approved 7 in favor, 0 opposed / Resolution No. R-217-12**
- J. Resolution accepting the project as complete and authorizing final payment to Forsgren, Inc. for construction of the South 28th Street Sewer Replacement Project (\$69,456.89 / *Utility Department / Budgeted - 2009 Sales Tax Bonds*)  
**Approved 7 in favor, 0 opposed / Resolution No. R-218-12**

K. Resolution authorizing the City Administrator to accept offer made by property owner for the acquisition of real property interests for Lake Fort Smith Water Supply Project (\$12,500.00 / Utility Department / Budgeted - 6505 Capital Improvement Fund)

Approved 7 in favor, 0 opposed / Resolution No. R-219-12

L. Ordinance declaring an exceptional situation waiving the requirement of competitive bidding and authorizing the purchase from Motorola Solutions, Inc. of twenty (20) new portable radios for use by the Fire Department (\$76,049.20 / Fire Department / Budgeted - Sales Tax Revenue)

Approved 7 in favor, 0 opposed / Ordinance No. 81-12

**OFFICIALS FORUM ~ presentation of information requiring no official action**

*(Section 2-36 of Ordinance No. 24-10)*

▶ Mayor

▶ Directors

▶ City Administrator

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**ADJOURN**

6:38 p.m.