



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**  
**December 18, 2012 ~ 6:00 P.M.**  
**Fort Smith Public Schools Service Center**  
**3205 Jenny Lind Road**

5:30 p.m. - Reception for out-going elected officials

***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 DECEMBER 4, 2012 REGULAR MEETING**

*Unanimously approved as written*

**ITEMS OF BUSINESS:**

1. Presentation:
  - Recognition to outgoing elected officials  
*Presentation only*
  
2. Ordinance rezoning identified property and amending the zoning map *(from Industrial Light (I-1) to Residential Single-Family Duplex High Density (RSD-4) by classification located at 2910-3026 North 6th Street and 2718-2722 North 27th Street) ~ Tabled at the December 4, 2012 regular meeting ~*

Approved 7 favor, 0 opposed as revised (2910-3026 North 6<sup>th</sup> Street to 2910-3020 North 6<sup>th</sup> Street) / Ordinance No. 97-12

3. Ordinance directing a study of regulations of outdoor advertising signs in the city of Fort Smith and its extraterritorial jurisdiction and declaring a moratorium on the receipt and consideration of application for new or modified outdoor advertising signs

Approved 7 favor, 0 opposed / Ordinance No. 98-12

4. Ordinance certifying to the Sebastian County Tax Collector delinquent property cleanup liens

Approved 7 favor, 0 opposed as revised (removal of 3 liens which were paid and the addition of 1 lien) / Ordinance No. 99-12

5. Ordinance amending Sections 4-1 through 4-3; 4-7 through 4-8; 4-31 through 4-36; 4-38 through 4-39; 4-61 through 4-63; 4-86; 4-89 through 4-90; 4-93; 4-116 through 4-117; 4-119 through 4-120; 4-131 through 4-135; repealing Sections 4-40 and 4-41; and adding Sections 4-11; 4-64; 4-97; 4-115; 4-121 through 4-122; 4-130; 4-136 through 4-137; to the Fort Smith Municipal Code to authorize certain changes and additional regulations pertaining to domestic animals

~ Merry/Catsavis placed on agenda at the December 11, 2012 study session ~

Approved 4 favor, 3 opposed (Good, Hutchings & Settle) as amended (amend and remove certain sections) / This ordinance did not receive 5 affirmative votes for passage on its first reading; therefore, Directors Merry, Weber, Tyler and Catsavis called special meetings to accommodate the second reading on Thursday, December 21, 2012 and the third reading on Thursday, December 27, 2012

6. Consent Agenda

- A. Resolution supporting the Old Fort Homeless Coalition's Fort Smith River Valley Region's Ten-Year Plan (2012-2022) to end homelessness and authorizing the Mayor to execute statement of principles and actions

Approved 7 favor, 0 opposed / Resolution No. R-260-12

- B. Resolution authorizing the acquisition of real property interests in connection with the 2011 Drainage Improvements Project 11-06-A (\$200.00 / Engineering Department / Budgeted – Sales Tax Program Fund)

Approved 7 favor, 0 opposed / Resolution No. R-261-12

- C. Resolution authoring the Mayor to execute an agreement for professional services with Jacobs Engineering Group Inc. for the Ben Geren Park Softball Addition (\$108,700.00 / Parks Department / Budgeted – Sales Tax Program Fund)

Approved 7 favor, 0 opposed / Resolution No. R-262-12

- D. Resolution authorizing certain changes to the Fort Smith Police Department Rules and Regulations regarding officers' Rules of Conduct  
*Approved 7 favor, 0 opposed / Resolution No. R-263-12*
- E. Resolution accepting the project as complete and authorizing final payment to Forsgren, Inc. for the Neighborhood Water System Improvements – Jack Freeze Service Area (\$69,989.83 / *Utility Department / Budgeted – 2008 Revenue Bonds*)  
*Approved 7 favor, 0 opposed / Resolution No. R-264-12*
- F. Resolution authorizing the Mayor to execute an agreement with Shannon & Wilson, Inc. for providing engineering services associated with year 2013 post construction monitoring and inspection of the Lake Fort Smith dam and reservoir (\$73,442.00 / *Utility Department / Budgeted – 2008 Water & Sewer Capital Improvement Fund*)  
*Approved 7 favor, 0 opposed / Resolution No. R-265-12*
- G. Resolution authorizing the City Administrator to accept an offer made by property owner for the acquisition of easements in connection with the Lake Fort Smith 48-Inch Water Transmission Line Project (\$10,750.00 / *Utility Department / Budgeted – 2008 Revenue Bonds*)  
*Approved 7 favor, 0 opposed / Resolution No. R-266-12*
- H. Resolution authorizing the Mayor to execute an agreement and Authorization No. 1 with CDM Smith, Inc. for providing engineering services for the Massard Wastewater Treatment Plant Odor Control Improvements (\$78,864.00 / *Utility Department / Budgeted – 2008 Revenue Bonds*)  
*Approved 7 favor, 0 opposed / Resolution No. R-267-12*
- I. Resolution authorizing Change Order No. 1 with Axioo Construction, Inc. for the Zero Street Pump Station Wet Weather Improvements – Site Remediation (\$168,065.97 / *Utility Department / Budgeted – 2012 Sales Tax Bonds*)  
*Approved 7 favor, 0 opposed / Resolution No. R-268-12*

**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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## EXECUTIVE SESSION

- Appointments: **A & P COMMISSION**  
Debra Presson (reappointed)  
Term expires December 31, 2016  
  
**LIBRARY BOARD OF TRUSTEES**  
Robert Kelly (reappointed)  
Ben Carroll  
Anita Paddock  
Terms expire December 31, 2017  
  
**PLANNING COMMISSION**  
John Huffman  
Term expires April 30, 2014
- Performance evaluation – Internal Auditor  
Board approved 3% merit increase retroactive to March 1, 2012

## ADJOURN

8:41 p.m.