

Mayor – Sandy Sanders

City Administrator – Ray Gosack

City Clerk – Sherri Gard

Board of Directors

Ward 1 – Keith Lau

Ward 2 – Andre' Good

Ward 3 – Mike Lorenz

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

January 7, 2014 ~ 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 214

INVOCATION & PLEDGE OF ALLEGIANCE

Reverend Joe Taylor, Heritage Baptist Church

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 214 or City website

APPROVE MINUTES OF THE DECEMBER 17, 2013 REGULAR MEETING

Approved as written

ITEMS OF BUSINESS:

1. Presentation by Girl Scouts: Diamonds of Arkansas, Oklahoma and Texas, Troop 4383
2. Public hearing and ordinance to close, vacate and abandon a portion of an alley right-of-way located in Reserve Addition, Block 575, an addition to the City of Fort Smith, Arkansas
Approved 7 in favor, 0 opposed/ Ordinance No. 1-14
3. Ordinance rezoning identified property and amending the zoning map *(from not zoned to Residential Single Family Medium/ High Density (RS-3) by classification located at 7901 Massard Road)*
Approved 7 in favor, 0 opposed / Ordinance No. 2-14

4. Ordinance amending the 2009 Unified Development Ordinance of the City of Fort Smith (*January 2014 Amendments*)
Approved 7 in favor, 0 opposed / Ordinance No. 3-14
5. Consent Agenda
 - A. Ordinance to abandon a portion of a public utility easement located in Country Club Estates, Block G, an addition to the City of Fort Smith, Sebastian County, Arkansas
Approved 7 in favor, 0 opposed / Ordinance No. 4-14
 - B. Ordinance authorizing the Mayor to execute agreements for certain services for inhabitants of the city of Fort Smith
Approved 7 in favor, 0 opposed / Ordinance No. 5-14
 - C. Ordinance authorizing the Mayor to execute an agreement with the U.S. Marshals Museum, Inc. for certain services for inhabitants of the city of Fort Smith
Approved 7 in favor, 0 opposed / Ordinance No. 6-14
 - D. Resolution accepting bids for the purchase of aggregates, sand, concrete and asphalt concrete products for 2014 (*annual bid*)
Approved 7 in favor, 0 opposed / Resolution No. R-2-14

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

➤ Mayor

➤ Directors

➤ City Administrator

Information available by viewing rebroadcast of the meeting on the City Access Channel 214 or City website

ADJOURN

6:20 p.m.

ORDINANCE NO. 1-14**AN ORDINANCE ENTITLED, AN ORDINANCE TO CLOSE AND VACATE AND
ABANDON A PORTION OF AN ALLEY RIGHT-OF-WAY LOCATED IN
RESERVE ADDITION, BLOCK 575, AN ADDITION TO THE CITY OF FORT SMITH, ARKANSAS**

WHEREAS, a petition was duly filed with the Board of Directors of the City of Fort Smith, Arkansas, December 12, 2013, asking the Board of Directors to vacate and abandon an alley right-of-way located in Reserve Addition, Block 575, an addition to the City of Fort Smith, Arkansas, more particularly described as follows:

Beginning at the southwest corner of Lot 7A, Block 575, Reserve Addition, being filed for record July 6, 2007 as plat 1783; Thence along the south line of said Block 575, S89°45'33"W, 20.00 feet to the southeast corner of Lot 6, Block 575; Thence along the east lines of Lots 6 thru 1, Block 575, N00°14'27"W, 300.00 feet to the northeast corner of said Lot 1, Block 575; Thence along the north line of said Block 575, N89°45'33"E, 20.00 feet to the northwest corner of said Lot 7A; Thence along the west line of said Lot 7A, S00°14'27"E, 300.00 feet to the Point of Beginning. Containing 0.14 acres, more or less.

WHEREAS, after notice as required by law, the Board of Directors has at the time and place mentioned in the notice duly published as required by law, heard all persons as desiring to be heard on the questions, and has ascertained that the said alley right-of-way as described above has heretofore been dedicated to the public use as an alley right-of-way and at this time is no longer required for the corporate purposes, and that said alley right-of-way is of no practical purpose or general purpose to the citizens of Fort Smith and it is in the best interest of the citizens of Fort Smith that the alley right-of-way be closed; and that the public interest and welfare will not be adversely affected by the abandonment of the said alley.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY
OF FORT SMITH, ARKANSAS, THAT:**

SECTION 1: The City of Fort Smith hereby releases, vacates and abandons all of its rights, title and interest, together with the right of the public generally, in and to the alley designated as follows:

Beginning at the southwest corner of Lot 7A, Block 575, Reserve Addition, being filed for record July 6, 2007 as plat 1783; Thence along the south line of said Block 575, S89°45'33"W, 20.00 feet to the southeast corner of Lot 6, Block 575; Thence along the east lines of Lots 6 thru 1, Block 575, N00°14'27"W, 300.00 feet to the northeast corner of said Lot 1, Block 575; Thence along the north line of said Block 575, N89°45'33"E, 20.00 feet to the northwest corner of said Lot 7A; Thence along the west line of said Lot 7A, S00°14'27"E, 300.00 feet to the Point of Beginning. Containing 0.14 acres, more or less.

SECTION 2: A copy of this Ordinance duly certified by the City Clerk shall be filed in the Office of the County for the Fort Smith District of Sebastian County, Arkansas, and recorded in the deed records of said county.

SECTION 3: This Ordinance shall take effect and be in effect from and after its passage.

PASSED AND APPROVED THIS 7th DAY OF JANUARY 2014.

APPROVED:



Mayor

ATTEST:



City Clerk

Approved as to form:



Public Notary

a

ORDINANCE NO. 2-14AN ORDINANCE REZONING IDENTIFIED PROPERTY
AND AMENDING THE ZONING MAP

WHEREAS, the City Planning Commission has heretofore held a public hearing upon request No. 19-12-13 to rezone certain properties hereinafter described, and, having considered said request, recommended on December 10, 2013, that said change be made;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS:

SECTION 1: That the following properties to-wit:

Part of Government Lots 1 and 2 of the Northwest Quarter of Section 7, Township 7 North, Range 31 West, Fort Smith, Sebastian County, Arkansas. Being more particularly described as follows:

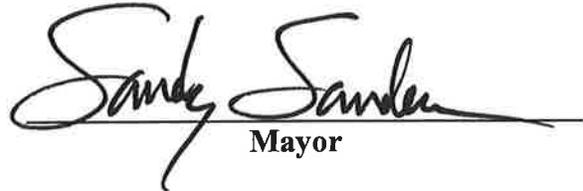
Commencing at the Northwest Corner of said Government Lot 1; thence N 87°14'55"W, 71.00 feet to a point on the easterly right-of-way line of Massard Road; thence 548.78 feet along the arc of a curve to the left in said easterly right-of-way line, said curve having a radius of 2406.73 feet and being subtended by a chord having a bearing of S 02°06'13"W and a distance of 547.59 feet to a set ½" rebar with cap stamped MWC 1369 and the Point of Beginning; thence leaving said easterly right-of-way line, N 87°11'41"E, 455.21 feet to a set ½" rebar with cap stamped MWC 1369; thence S 00°00'00"E, 301.94 feet to a set ½" rebar with cap stamped MWC 1369; thence S 07°19'44"E, 535.03 feet; thence S 61°59'52"W, 282.09 feet to a set ½" rebar with cap stamped MWC 1369 on said easterly right-of-way line; thence 988.66 feet along the arc of a curve to the right in said easterly right-of-way line, said curve having a radius of 2406.73 feet and being subtended by a chord having a bearing of N 16°11'50"W and a distance of 981.73 feet to the Point of Beginning. Containing 8.00 acres, more or less.

more commonly known as 7901 Massard Road, should be, and is hereby rezoned from Not Zoned to Residential Single Family Medium/High Density (RS-3) by Classification.

The zoning map of the City of Fort Smith is hereby amended to reflect said rezoning.

PASSED AND APPROVED THIS 7th DAY OF January, 2014.

APPROVED:



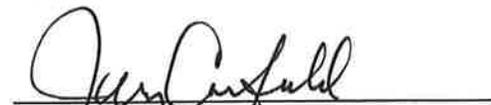
Mayor

ATTEST:



City Clerk

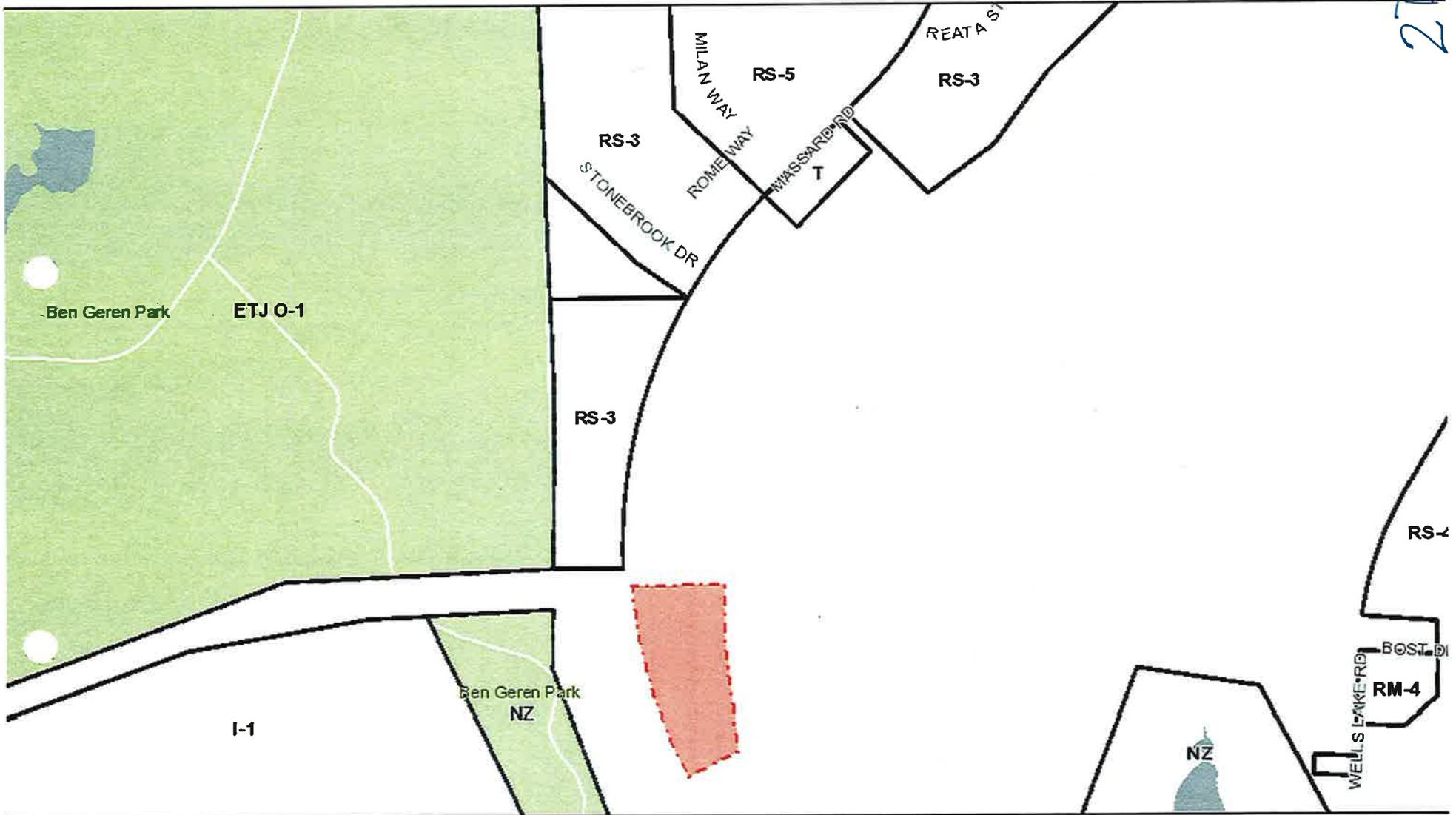
Approved as to form:



Publish One Time

Rezoning #19-12-13: Not Zoned to Residential Single Family Medium/High Density (RS-3) 7901 Massard Road

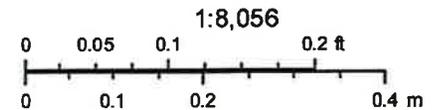
2P



November 20, 2013

Fort Smith City Limits

Zoning



ORDINANCE NO. 3-14**AN ORDINANCE AMENDING THE 2009 UNIFIED DEVELOPMENT
ORDINANCE OF THE CITY OF FORT SMITH**

WHEREAS, the Board of Directors passed and approved Ordinance No. 36-09 which adopted the Unified Development Ordinance on May 19, 2009; and,

WHEREAS, it is necessary to amend certain sections of the Unified Development Ordinance to provide clarity and remove conflicts with other provisions of the municipal code; and,

WHEREAS, the Planning Commission held a public hearing regarding these amendments and recommended on December 10, 2013, that said changes be made; and,

WHEREAS, three (3) copies of January 2014 Amendments to the Unified Development Ordinance have been on file in the Office of the City Clerk of the City of Fort Smith for inspection and review by the public prior to the passage of this Ordinance; and,

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH THAT:

SECTION 1: The January 2014 Amendments to the Unified Development Ordinance Appendix A is hereby adopted.

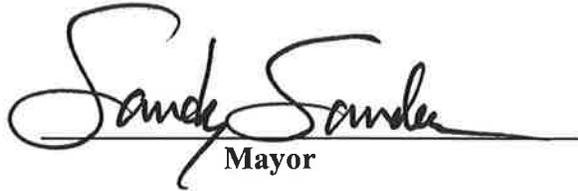
SECTION 2: The codifier shall codify the new sections and amend the existing sections of the Unified Development Ordinance.

SECTION 3: It is hereby found and determined that the adoption of these amendments to the Unified Development Ordinance is necessary to alleviate an emergency created by the lack

of regulation of uses of property within the City of Fort Smith so that the protection of the health, safety and welfare of the inhabitants of the City requires that the amendments be effective, and the amendment is hereby made effective, as of the date of approval of this Ordinance.

PASSED AND APPROVED THIS 7th DAY OF January, 2014.

APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to form:


Publisher & Printer

JANUARY 2014

**AMENDMENTS TO THE UNIFIED DEVELOPMENT
ORDINANCE**

27-601-15 Parking Layout and Design Standards

- A. The purpose of this section is to act as a guide in the design and layout of off-street parking facilities.
- B. The tendency when designing parking lots is to crowd as many parking spaces as possible into the allotted space by reducing standards, such as narrowing parking stalls and aisles. The best design, however, should give full consideration to all design factors that improve the operation of the facility. These include internal movement, maneuvering of cars, convenience of patrons and security of vehicles.
- C. The average automobile is eighteen (18) feet, zero (0) inches long and six (6) feet, nine (9) inches wide. Adding to these limits allowances for opening doors, the relative skill of drivers, the turning radius of the average automobile and a margin for safety, the following standards have been established. Parking areas built to these specifications will allow eighty (80) percent of all cars to park with relative ease in one (1) maneuver.
- D. In the larger lots, the greatest economy of space can be accomplished by placing the stalls at right angles to the aisles. Acute-angle parking allows fewer stalls for a given length of curb or aisle than right-angle parking, but is more easily accessible to drivers. In addition, acute-angle parking allows aisles that are narrower and permits the use of lots which are too narrow for right-angle parking. Acute-angle parking requires that the first stall be placed a minimum distance from the property line on sidewalk. This is a safety measure to protect and separate occupants of the sidewalk from vehicles backing out of the stall.
- E. Barrier curbs are required when parking lots continue into an adjoining property line or sidewalk. Their placement depends upon the angle for which the parking is planned.
- F. The movement of cars within parking lot facilities requires consideration of entrance and exit locations, aisle widths and the angle of parking. One-way, counterclockwise movement is desirable, where feasible, to improve internal traffic circulation and help to reduce congestion.
- G. The number of entrances and exits should be held to a minimum to reduce conflicts with street and sidewalk traffic. It is highly desirable that exits and entrances be separated from each other with curbing or landscape islands.
- H. ~~Parallel parking spaces may not be utilized for required parking.~~

- a. New District (By Classification): Minimum 7,000 s.f. to a maximum of 2 acres.
- b. Existing district (By Extension): Min. 7,000 s.f. to a maximum of 21,000 s.f.
- 3. Maximum building total for development -30,000 s.f.; Maximum individual building or unit in multi-unit structure – 5,000 s.f.
- 4. Required street access: residential collector or higher.

D. District Standards

- 1. On-street parking may be included to meet as much as 50% of the overall parking requirement with the approval of the Engineering Department.
- 2. All areas unoccupied by buildings, parking lots or used as traffic ways shall be maintained in a safe and orderly condition.
- 3. No display of merchandise shall be permitted on public sidewalks or rights-of-way.
- 4. Special sales merchandise may be temporarily displayed outdoors, but not to exceed a period for more than 14 days or no more than two occasions per year (total of 28 days per year) provided:
 - a. The display shall be limited to the private walk in front of the store.
 - b. No required parking area shall be used as a display or sales area.

27-423	COMMERCIAL LIGHT (C-2)
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- B. Purpose.** To provide office, service, and retail activities that are located within buffer areas near the edge of residential areas but which serve an area larger than adjacent neighborhoods. The C-2 zoning district is intended to accommodate well designed development sites and shall provide excellent transportation access, make the most efficient use of existing infrastructure, and provide for orderly buffers and transitions between Commercial and Residential land uses. C-2 zoning is appropriate in the Commercial Neighborhood, General Commercial, Mixed Use Residential, and Mixed Use Employment classification of the Master Land Use Plan.
- C. Land Uses.** Permitted, Conditional and Accessory land uses in the C-2 Zoning District are identified on the Land Use Matrix, Chapter 27-400, Appendix A. Specific land uses not identified on the list are subject to classification pursuant to Section 27-336.

6D

D. Area and Bulk Regulations

Min. Lot Size/Max. Bldg (s.f.)	Min. Lot Width	Max Lot Coverage	Minimum Street Frontage	Max Height (see 27-404(D))
7,000 lot / 30,000 bldg.	50 feet	60%	20 feet	35 feet
Setbacks (feet)				
Front Setback	Side Setback	Street Side Setback	Side/Rear Setback (Adjoining SF Res. Dist/Development)	Rear Setback
25 feet	10 feet	10 feet	<u>30 feet</u>	10 feet

1. Building separation shall be determined by the current City building and fire code.
2. Minimum Parcel/Lot Size for Rezoning to C-2
 - a. New District (By Classification) : 42,000 s.f.
 - b. Existing District (By Extension): 7,000 s.f. (one lot)
3. Maximum Individual building square footage on a single lot: 30,000 s.f.
4. Required street access: major collector or higher

E. District Standards

1. On-street parking may be included to meet as much as 50% of the overall parking requirement with the approval of the Engineering Department.
2. All areas unoccupied by buildings, parking lots or used as traffic ways shall be maintained in a safe and orderly condition.
3. No display of merchandise shall be permitted on public sidewalks or rights-of-way.
4. Special sales merchandise may be temporarily displayed outdoors, but not to exceed a period for more than 14 days or no more than two occasions per year (total of 28 days per year) provided:
 - a. The display shall be limited to the private walk in front of the store.
 - b. No required parking area shall be used as a display or sales area.

6E

6. All trash receptacles shall be completely screened with a permanent opaque screen fence.
7. Outdoor lighting shall comply with Section 27-602-5.
8. A permanent opaque six-foot screening fence, wall or landscape buffer shall be provided along any side or rear property line adjacent to property developed or zoned single family including alleys.

E. Industrial Building Standards The following standards shall apply to industrial, storage and distribution buildings when constructed along major arterial or boulevard streets as classified by the master street plan, or adjacent to residential districts, and/or those buildings at the perimeter of an industrial subdivision.

1. Each primary entrance for employees or visitors that faces a public street should be emphasized through the use of differing colors or materials, arches, arcades or other architectural treatments.
2. All front facades of primary structures, all facades that face a public right-of-way, and all sidewall facades within forty (40) feet of the front façade, shall be made of masonry (brick, stone and/or stucco), tilt-up concrete panels (textured or untextured), wood, native stone, tinted glass, exterior insulated finished systems (EIFS), cementitious siding (e.g., Hardie Board), or other siding materials as approved by the Director.
3. Facades of the primary structure should incorporate architectural relief through the use of at least two of the following tools: reveals, visible joint patterns, projected sills, belt courses, repeating brick header and stretcher courses, or differing colors and textures.
4. All primary structures with roofs with a pitch of less than 2:12 shall be screened by a parapet wall or fascia.
5. All trash receptacles shall be screened with a permanent opaque screening fence.
6. Outdoor lighting shall comply with Section 27-602-5.
7. Outdoor storage.

a. Industrial-1 (I-1):

1. Areas used for outdoor storage or display shall be maintained so that excessive dust, fumes or odors will not be produced by continued use.

ORDINANCE NO. 4-14

**AN ORDINANCE TO ABANDON A PORTION OF A
PUBLIC UTILITY EASEMENT
LOCATED IN COUNTRY CLUB ESTATES, BLOCK G, AN ADDITION
TO THE CITY OF FORT SMITH, SEBASTIAN COUNTY, ARKANSAS**

**BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS
OF THE CITY OF FORT SMITH, THAT:**

SECTION 1: The City of Fort Smith, Arkansas hereby releases, vacates and abandons all its rights together with the rights of the public generally to the public utility easement located in the hereinafter described real property:

Part of Lot 13B, Block G, Country Club Estates to the City of Fort Smith, Sebastian County, Arkansas being more particularly described as follows:

Commencing at a ½ inch existing rebar marking the Northwest Corner of Lot 13B, thence along the north line of Lot 13B South 89 degrees 55 minutes 13 seconds East, 12.59 feet to the Point of Beginning. Thence continue along said north line, South 89 degrees 55 minutes 13 seconds East 2.41 feet to a point on the east line of an existing 15.00 foot public utility easement. Thence leaving said north line and along said east line, South 00 degrees 38 minutes 47 seconds East, 146.66 feet to a point on the south line of Lot 13B. Thence leaving said east line and along said south line, North 89 degrees 55 minutes 13 seconds West, 2.41 feet. Thence leaving said south line, North 00 degrees 38 minutes 47 seconds West, 146.66 feet to the Point of Beginning, containing 353.83 square feet.

The portion of the public utility easement being released, vacated and abandoned is no longer required for municipal corporate purposes.

SECTION 2: A copy of the Ordinance duly certified by the City Clerk shall be filed with the Office of the Recorder of the County and recorded in the deed records of the County.

PASSED AND APPROVED THIS 7th DAY OF JANUARY
2014.

APPROVED:



Mayor

ATTEST:



City Clerk

Approved as to form:



No publication required

ORDINANCE NO. 5-14AN ORDINANCE AUTHORIZING THE MAYOR TO
EXECUTE AGREEMENTS FOR CERTAIN SERVICES FOR
INHABITANTS OF THE CITY OF FORT SMITH

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF
THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The Mayor is hereby authorized to execute that certain agreement with the **Fort Smith Museum of History** providing for the payment by the City to the Fort Smith Museum of History up to a maximum of **\$6,400** during calendar year 2014 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for cultural and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 2: The Mayor is hereby authorized to execute that certain agreement with the **Fort Smith Heritage Foundation** in the amount of actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the facilities up to a maximum of **\$8,410** during calendar year 2014 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for cultural and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 3: The Mayor is hereby authorized to execute that certain agreement with the **Fort Smith Symphony** providing up to a maximum of **\$10,000** during calendar year 2014 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for cultural and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 4: The Mayor is hereby authorized to execute that certain agreement with the **Fort Smith Regional Art Museum** providing up to a maximum of **\$13,000** during calendar year 2014 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for cultural and educational purposes to enhance and provide for

the health and welfare of the inhabitants of the City during the year 2014.

SECTION 5: The Mayor is hereby authorized to execute that certain agreement with the **Fort Smith Chorale** providing payment up to a maximum of **\$5,860** during calendar year 2014 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for cultural and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 6: The Mayor is hereby authorized to execute that certain agreement with the **Western Arkansas Ballet** providing for the payment by the city to the Western Arkansas Ballet in the amount of actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the facilities up to a maximum of **\$4,730** during calendar year 2014 for services provided to the City and its inhabitants, which services include the providing of programs for educational and recreational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 7: The Mayor is hereby authorized to execute that certain agreement with the **Fort Smith Little Theater** in the amount of actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the facilities up to a maximum of **\$5,600** during calendar year 2014 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for cultural and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 8: The Mayor is hereby authorized to execute that certain agreement with the **Fort Smith Boys and Girls Clubs** providing for the payment by the City to the Fort Smith Boys and Girls Clubs in the amount of actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the Fort Smith Boys and Girls Clubs facilities up to a maximum of **\$18,000** during calendar year 2014 for services provided to the City and its inhabitants, which services include the providing of programs for educational and recreational purposes to enhance and provide

for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 9: The Mayor is hereby authorized to execute that certain agreement with the **Girls Incorporated** providing for the payment by the City to Girls Incorporated in the amount of actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of Girls, Inc. facilities up to a maximum of **\$10,000** during calendar year 2014 for services provided to the City and its inhabitants, which services include the providing of programs for educational and recreational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 10: The Mayor is hereby authorized to execute that certain agreement with the **Lincoln Youth Center** providing payment up to a maximum of **\$13,000** during calendar year 2014 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for cultural and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 11: The Mayor is hereby authorized to execute that certain agreement with the **The First Tee** providing for the payment by the city to The First Tee in the amount of actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the facilities up to a maximum of **\$8,000** during calendar year 2014 for services provided to the City and its inhabitants, which services include the providing of programs for educational and recreational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 12: The Mayor is hereby authorized to execute that certain agreement with the **Gregory Kistler Treatment Center for Children** providing for the payment by the City to the Gregory Kistler Treatment Center for Children in the amount of the actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the Gregory Kistler Treatment Center for Children up to maximum of **\$3,500** during calendar year 2014 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for physically impaired individuals and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 13: The Mayor is hereby authorized to execute that certain agreement with **ARC for the River Valley** providing for the payment by the City to ARC for the River Valley up to maximum of **\$5,000** during calendar year 2014 for services which services include the providing of programs for educational and recreational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 14: The Mayor is hereby authorized to execute that certain agreement with the **Next Step Day Room** providing for the payment of **\$6,400** during calendar year 2014 for services provided the City and its inhabitants, which services include the providing of facilities and programs for rehabilitation and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 15: The Mayor is hereby authorized to execute that certain agreement with **Girls Shelter**, providing for the payment by the City to Girls Shelter in the amount of actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the facilities up to a maximum of **\$3,500** during calendar year 2014 for services provided the City and its inhabitants, which services include the providing of facilities and programs for health and human service purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 16: The Mayor is hereby authorized to execute that certain agreement with **Reynolds Cancer Support House** providing for the payment by the City to Reynolds Cancer Support House in the amount up to maximum of **\$2,000** during calendar year 2014 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for health and human service purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 17: The Mayor is hereby authorized to execute that certain agreement with the **Crisis Intervention Center**, providing for the payment by the City to the Crisis Intervention Center, in the amount of actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of facilities up to a maximum of **\$7,450**

during calendar year 2014 for services provided the City and its inhabitants, which services include the providing of facilities and programs for health and human service purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 18: The Mayor is hereby authorized to execute that certain agreement with the **Fountain of Youth Adult Day Care Center**, providing for the payment by the City to the Fountain of Your Adult Day Care Center, in the amount of actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation up to a maximum of **\$2,595** during calendar year 2014 for services provided the City and its inhabitants, which services include the providing of facilities and programs for health and human service purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 19: The Mayor is hereby authorized to execute that certain agreement with the **Community Services Clearinghouse**, providing for the payment by the City to the Community Services Clearinghouse, of **\$7,450** during calendar year 2014 for services provided the City and its inhabitants, which services include the providing of facilities and programs for health and human service purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 20: The Mayor is hereby authorized to execute that certain agreement with the **River Valley Regional Food Bank**, providing for the payment by the City to the River Valley Regional Food Bank, in the amount of actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the facilities up to a maximum of **\$7,450** during calendar year 2014 for services provided the City and its inhabitants, which services include the providing of facilities and programs for health and human service purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 21: The Mayor is hereby authorized to execute that certain agreement with the **Alzheimer's Association** in the amount of actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the facilities up to a maximum of **\$3,350** during calendar year 2014 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for

cultural and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 22: The Mayor is hereby authorized to execute that certain agreement with the **Fort Smith Museum of History** providing for the payment by the City to the Fort Smith Museum of History in the amount of the actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the Fort Smith Museum of History up to a maximum of **\$20,000** during calendar year 2014 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for cultural and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 23: The Mayor is hereby authorized to execute that certain agreement with **SRCA, Inc. Social Services** providing for the direct payment by the City to SRCA, Inc. Social Services of **\$173,893** during calendar year 2014 for services provided the City and its inhabitants, which services include the providing of facilities and programs for nutritional purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 24: The Mayor is hereby authorized to execute that certain agreement with the **Area Agency on Aging** providing for the payment by the City to the Area Agency on Aging of **\$50,000** during calendar year 2014 for services provided the City and its inhabitants, which services include the providing of facilities and programs for health and human service purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 25: The Mayor is hereby authorized to execute that certain agreement with the **Project Compassion** providing for the payment of **\$7,500** during calendar year 2014 for services provided the City and its inhabitants, which services include the providing of facilities and programs for rehabilitation and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 26: The Mayor is hereby authorized to execute that certain agreement with **The Steps Inc.** providing for the payment by the City to The Steps Inc. in the amount of the actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the Fort Smith Museum of History up to a maximum of **\$2,100** during calendar year 2014 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for cultural and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 27: The Mayor is hereby authorized to execute that certain agreement with **Good Samaritan Clinic** providing for the payment by the City to Good Samaritan Clinic in the amount up to maximum of **\$4,450** during calendar year 2014 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for health and human service purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 28: The Mayor is hereby authorized to execute that certain agreement with the **Old Fort Homeless Coalition** providing payment up to a maximum of **\$3,280** during calendar year 2014 for services provided to the City and its inhabitants, which services include the providing of repairs and remodeling of qualified residences to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 29: The Mayor is hereby authorized to execute that certain agreement with **The Hope Chest** providing for the payment by the City to The Hope Chest in the amount up to maximum of **\$475** during calendar year 2014 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for health and human service purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2014.

SECTION 30: It is hereby declared and determined by the Board of Directors that the subject matters of the agreements authorized by Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 29 above deal with providing services in an exceptional situation where competitive bidding procedures are not

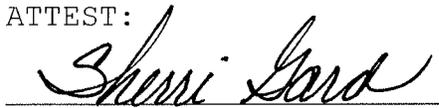
feasible so that such competitive bidding procedures are hereby waived with reference to such agreements.

SECTION 31: The authorizations set forth in Sections 1-29 above are deemed and declared to be severable. Any invalidity of one or more of the separate sections shall not affect the validity of the other sections of this Ordinance.

PASSED AND APPROVED this 7 day of January, 2014.

APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to form:



no publication required

ORDINANCE NO. 6-14

AN ORDINANCE
AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT
WITH THE U. S. MARSHALS MUSEUM, INC. FOR
CERTAIN SERVICES FOR INHABITANTS OF THE CITY OF FORT SMITH

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE
CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The Mayor is hereby authorized to execute, his signature being attested by the City Clerk, that certain agreement with the U. S. Marshals Museum, Inc. providing for the payment by the City to the U. S. Marshals Museum, Inc. up to a maximum of \$50,000 during calendar year 2014 for services provided to the City that shall consist of maintaining the national fundraising campaign which facilitates the continued planning, design, and construction of the U. S. Marshals Museum on the Arkansas riverfront in downtown Fort Smith.

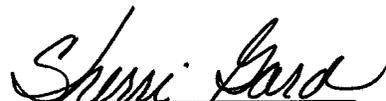
SECTION 2: It is hereby declared and determined by the Board of Directors that the agreement authorized by Section 1 above deals with providing services in an exceptional situation where competitive bidding procedures are not feasible so that such competitive bidding procedures are hereby waived with reference to such agreement.

Passed and approved this 7th day of January, 2014.

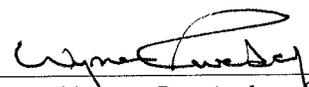
APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM


No Publication Required

RESOLUTION NO. R-2-14

**RESOLUTION ACCEPTING BIDS FOR THE PURCHASE OF
AGGREGATES, SAND, CONCRETE, AND ASPHALT CONCRETE
PRODUCTS FOR 2014**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY
FORT SMITH, ARKANSAS, THAT:

The Bids, as indicated by enclosure on the attached Bid Tabulation
12-21-12BA for the purchase of concrete, asphalt, and other materials for 2014, are
accepted.

This Resolution adopted this 7th day of January, 2014.

APPROVED:


MAYOR

ATTEST:


CITY CLERK

Approved as to form:



No Publication Required

Publish ___ Times

Interoffice Memorandum

TO: Ray Gosack, City Administrator
FROM: Alie Bahsoon, Purchasing Manager
SUBJECT: 2014 Sand, Concrete & Asphalt Bid Tabulation
DATE: December 30, 2013
BID TAB: 12-20-13BA



Attached you will find the 2014 bid tabulations for Aggregates, Sand, Concrete, and Asphalt Concrete Materials. These items will be used by various City departments and will remain in effect for all of 2014.

Please note that there was an average of 5.5% decrease in the price of concrete from last year. These materials have been budgeted for accordingly in the 2014 budget. For your convenience, I have attached a copy of the 2013 bid tabulation for comparison purposes.

I recommend that the bids noted by enclosure on the attached tabulation be accepted. Please let me know if you should have any questions.

Tabulation of Bids for Concrete and Sand for **2014**

Bid Tab: 12-20-13BA

Description

Crushed Stone (Aggregate Base)

3/4" to 1 1/2" Concrete Rock

Rip Rap

Gabion Stone

Concrete Class AAA/4000 PSI

Concrete Class AAA (AE)/4000 PSI

Concrete Class AAA (AE)(HES)/4000 PSI

Concrete Class AA/3500 PSI

Concrete Class AA AE/3500 PSI

Concrete Class AA AE HES/3500 PSI

Concrete Class A/3000 PSI

Concrete Class A (AE)/3000 PSI

Concrete Class A (AE)(HES)/3000 PSI

Concrete Class B/2500 PSI

Concrete Class B (HES)/2500 PSI

Utility Backfill (Slurry)

Sand

Stone Chips

APAC-Central, Inc. (Arkholo)						Mid-Continent				Bid Item #
Ft. Smith, AR						Ft. Smith, AR				
At Plant *	At Plant **	At Plant	Delivered			At Plant	Delivered			
\$11.55	✓	\$11.80	✓	N/A	N/A	N/A	N/A		2	
\$12.70	✓	\$13.45	✓	N/A	N/A	N/A	N/A		3	
\$17.00	✓	\$17.00	✓	N/A	N/A	N/A	N/A		4	
\$13.74	✓	\$13.75	✓	N/A	N/A	N/A	N/A		5	
N/A		N/A		\$81.00	\$93.00	\$70.00	✓	\$84.00	✓	6a
N/A		N/A		\$81.00	\$93.00	\$70.00	✓	\$84.00	✓	6b
N/A		N/A		\$94.00	\$108.00	\$86.00	✓	\$97.00	✓	6c
N/A		N/A		\$76.50	\$90.00	\$69.00	✓	\$80.00	✓	6d
N/A		N/A		\$76.50	\$90.00	\$69.00	✓	\$80.00	✓	6e
N/A		N/A		\$92.00	\$106.00	\$85.00	✓	\$96.00	✓	6f
N/A		N/A		\$74.50	\$88.00	\$68.00	✓	\$80.00	✓	6g
N/A		N/A		\$74.50	\$88.00	\$68.00	✓	\$80.00	✓	6h
N/A		N/A		\$90.50	\$106.00	\$84.00	✓	\$95.00	✓	6i
N/A		N/A		\$74.50	\$106.00	\$67.00	✓	\$78.00	✓	6j
N/A		N/A		\$90.50	\$106.00	\$83.00	✓	\$94.00	✓	6k
N/A		N/A		\$56.00	\$66.00	\$52.00	✓	\$59.00	✓	7
N/A		N/A		\$8.65	✓	N/A		No Bid	No Bid	8
N/A		N/A		\$15.00	✓	N/A		No Bid	No Bid	12

All Prices Firm for 2014

✓ Awarded Bid

* Preston Plant

** Jenny Lind Plant

Tabulation of Bids for Concrete and Sand for **2014**
Bid Tab: 12-20-13BA

<u>Description</u>	Arkholo Sand & Gravel Ft. Smith, AR		JOB Construction Poteau, OK		Bid Item #
	At Plant		At Plant		
Asphalt Concrete Hot Mix Surface Course (II)	\$73.00	✓	N/A		9
Asphalt Concrete Cold Plant Mix	\$95.00	✓	N/A		10
Asphalt Concrete High Performance Cold Mix	N/A		No Bid		11
Asphaltic Concrete Hot Mix Binder Course	\$68.00	✓	N/A		13
Asphaltic Concrete Hot Mix Surface Course	\$73.00	✓	N/A		14
Asphaltic Concrete Hot Mix Surface Course-AHTD 12.5 mm	\$82.00	✓	N/A		15
Asphaltic Concrete Hot Mix Surface Course-AHTD 9.5 mm	\$84.00	✓	N/A		16

All Prices Firm for 2014

✓ Awarded Bid

Tabulation of Bids for Concrete and Sand for 2013

Bid Tab: 12-21-12BA

Description

Crushed Stone (Aggregate Base)

3/4" to 1 1/2" Concrete Rock

Rip Rap

Gabion Stone

Concrete Class AAA/4000 PSI

Concrete Class AAA (AE)/4000 PSI

Concrete Class AAA (AE)(HES)/4000 PSI

Concrete Class AA/3500 PSI

Concrete Class AA AE/3500 PSI

Concrete Class AA AE HES/3500 PSI

Concrete Class A/3000 PSI

Concrete Class A (AE)/3000 PSI

Concrete Class A (AE)(HES)/3000 PSI

Concrete Class B/2500 PSI

Concrete Class B (HES)/2500 PSI

Utility Backfill (Slurry)

Sand

Stone Chips

APAC-Central, Inc. (Arkholia)					
Ft. Smith, AR					
At Plant *		At Plant **		At Plant	Delivered
\$9.55	✓	\$9.55	✓	N/A	N/A
\$13.50	✓	\$13.50	✓	N/A	N/A
\$15.00	✓	\$15.00	✓	N/A	N/A
\$15.00	✓	\$15.00	✓	N/A	N/A
N/A		N/A		\$77.00	✓ \$88.50 ✓
N/A		N/A		\$77.00	✓ \$88.50 ✓
N/A		N/A		\$90.00	✓ \$104.00 ✓
N/A		N/A		\$72.50	✓ \$86.00 ✓
N/A		N/A		\$72.50	✓ \$86.00 ✓
N/A		N/A		\$88.00	✓ \$102.00 ✓
N/A		N/A		\$70.50	✓ \$84.00 ✓
N/A		N/A		\$70.50	✓ \$84.00 ✓
N/A		N/A		\$86.50	✓ \$102.00 ✓
N/A		N/A		\$69.00	✓ \$82.00 ✓
N/A		N/A		\$85.00	✓ \$100.00 ✓
N/A		N/A		\$52.00	✓ \$62.00 ✓
N/A		N/A		\$7.25	✓ N/A
N/A		N/A		\$16.00	✓ N/A

All Prices Firm for 2013

✓ Awarded Bid

* Preston Plant

** Jenny Lind Plant

APAC Requirements

1. All concrete except HES will be Class "C" Fly Ash mixes
2. Add \$3.00 per cyd. For all cement mixes
3. Fiber Reinforcement (P4200) add \$6.00 per cyd
4. Delivered concrete will have a 4 yd. minimum

5. Picked up concrete will have a 1 yd. minimum
6. Other concrete mixes and admixtures quoted on request
7. Washout area must be provided for delivered concrete

Tabulation of Bids for Concrete and Sand for **2013**
Bid Tab: 12-21-12BA

<u>Description</u>	Arkholo Sand & Gravel Ft. Smith, AR		JOB Construction Poteau, OK		Bid Item #
	At Plant		At Plant		
Asphalt Concrete Hot Mix Surface Course (II)	\$69.00	✓	N/A		9
Asphalt Concrete Cold Plant Mix	\$95.00	✓	N/A		10
Asphalt Concrete High Performance Cold Mix	N/A		\$105.00	✓ *	11
Asphaltic Concrete Hot Mix Binder Course	\$65.00	✓	N/A		13
Asphaltic Concrete Hot Mix Surface Course	\$69.00	✓	N/A		14
Asphaltic Concrete Hot Mix Surface Course-AHTD 12.5 mm	\$75.00	✓	N/A		15
Asphaltic Concrete Hot Mix Surface Course-AHTD 9.5 mm	\$77.00	✓	N/A		16

All Prices Firm for 2013

✓ Awarded Bid

* F.O.B. Poteau Yard-subject to escalation/de-escalation prices