

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

February 4, 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

Rev. Tim Beasley, Central Christian Church

ROLL CALL

All present (Mayor Sanders presiding)

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 JANUARY 21, 2014 REGULAR MEETING

Unanimously approved as written

ITEMS OF BUSINESS:

1. Ordinance amending the Master Land Use Plan map and rezoning identified property and amending the zoning map (*Master Land Use Plan: from General Commercial to Residential Attached / Rezoning: from Commercial Heavy Special (C-5-SPL) to Residential Multi-Family High Density (RM-4) by classification located at 4615 Old Greenwood Road*)
Approved 7 in favor, 0 opposed / Ordinance No. 11-14
2. Ordinance rezoning identified property and amending the zoning map (*from Transitional (T) to Commercial Light (C-2) by extension located at 3900 & 3920 Rogers Avenue*)
Approved 6 in favor, 0 opposed, 1 abstention (Lau) / Ordinance No. 12-14

3. Ordinance amending the Master Land Use Plan map and rezoning identified property and amending the zoning map (*Master Land Use Plan: from Residential Detached to Residential Attached / Rezoning: from Transitional (T) to Residential Multi-Family Medium Density (RM-3) by extension located at 1412 South 34th Street*)
Approved 7 in favor, 0 opposed / Ordinance No. 13-14
4. Ordinance rezoning identified property and amending the zoning map (*from Industrial Light (I-1) to Commercial Heavy (C-5) by classification located at 5400, 5401 & 5451 Phoenix Avenue*)
Approved 7 in favor, 0 opposed / Ordinance No. 14-14
5. Ordinance rezoning identified property and amending the zoning map (*from Not Zoned to Industrial Light (I-1) by classification located at 8201 & 8205 Veterans Avenue*)
Approved 7 in favor, 0 opposed / Ordinance No. 15-14
6. Resolution authorizing the Mayor to enter into a lease agreement with Smith Communications, LLC for a tower and wireless communications facility at Carol Ann Cross Park
Approved 6 in favor, 1 opposed (Merry) / Resolution No. R-6-14
7. Consent Agenda
 - A. Resolution authorizing the Mayor to execute a caretaking lease on City-owned property at Haven Hill Reservoir
Approved 7 in favor, 0 opposed / Resolution No. R-7-14
 - B. Resolution accepting the project as complete and authorizing final payment to Nebo Residuals Services, Inc. for Lake Fort Smith and Lee Creek Water Treatment Plant Residuals Lagoon Cleaning (\$37,203.00 / Utility Department / Budgeted – Water and Wastewater General Account)
Approved 7 in favor, 0 opposed / Resolution No. R-8-14
 - C. Ordinance amending Ordinance No. 14-10 regarding the use of Federal Asset Forfeiture Funds to increase the total number of authorized sworn officer positions for the Fort Smith Police Department
Approved 7 in favor, 0 opposed / Ordinance No. 16-14
 - D. Resolution approving Change Order No. 1 to contract for fire stations upgrades with Southern Building Services, Inc. (\$16,752.95 / Fire Department / Budgeted – 2012 Sales Tax Bonds)
Approved 7 in favor, 0 opposed / Resolution No. R-9-14
 - E. Resolution accepting bid for the purchase of an automated side loading refuse truck with packer body (\$272,075.90 / Sanitation Department / Budgeted – Capital Outlay 6302-301)
Approved 7 in favor, 0 opposed / Resolution No. R-10-14

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

EXECUTIVE SESSION (approximately 6:48 p.m.)

- Performance evaluation – City Administrator ~ *Weber/Lau placed on agenda at the January 21, 2014 regular meeting ~*
No action taken - the next performance evaluation is scheduled for July 2014

ADJOURN

8:10 p.m.

ORDINANCE NO. 11-14

**AN ORDINANCE AMENDING THE MASTER LAND USE PLAN MAP AND
REZONING IDENTIFIED PROPERTY AND AMENDING THE ZONING MAP**

WHEREAS, the City Planning Commission has held a public hearing to consider a request to amend the Master Land Use Plan Map relative to property described in Section 1 of this ordinance, and, having considered the request, recommended on January 14, 2014, that said change be made; and,

WHEREAS, the Planning Commission determined the change to the Master Land Use Plan Map does conform to the goals and objectives of the Comprehensive Plan.

WHEREAS, the City Planning Commission has heretofore held a public hearing to consider request No. 1-1-14 to rezone certain properties hereinafter described, and, having considered said request, recommended on January 14, 2014, 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: The hereinafter described property is hereby reclassified on the Master Land Use Plan Map from General Commercial to Residential Attached and the Master Land Use Plan Map is hereby amended to reflect said amendment to-wit:

Lot 1A – Taco Rio No. 5
more commonly known as 4615 Old Greenwood Road.

SECTION 2: The real property described in Section 1 is hereby rezoned from Commercial Heavy Special (C-5-SPL) to Residential Multifamily High Density (RM-4) by

Classification, subject to the development plan approved by the Planning Commission at their January 14, 2014, meeting.

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

PASSED AND APPROVED THIS 4th DAY OF February, 2014.

ATTEST:



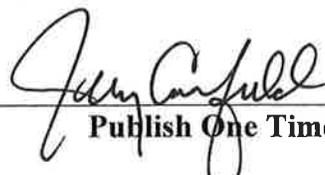
City Clerk

APPROVED:



Mayor

Approved as to form:



Publish One Time

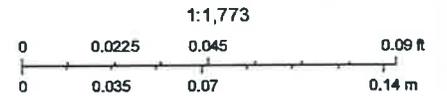
Master Land Use Amendment 4615 Old Greenwood Road



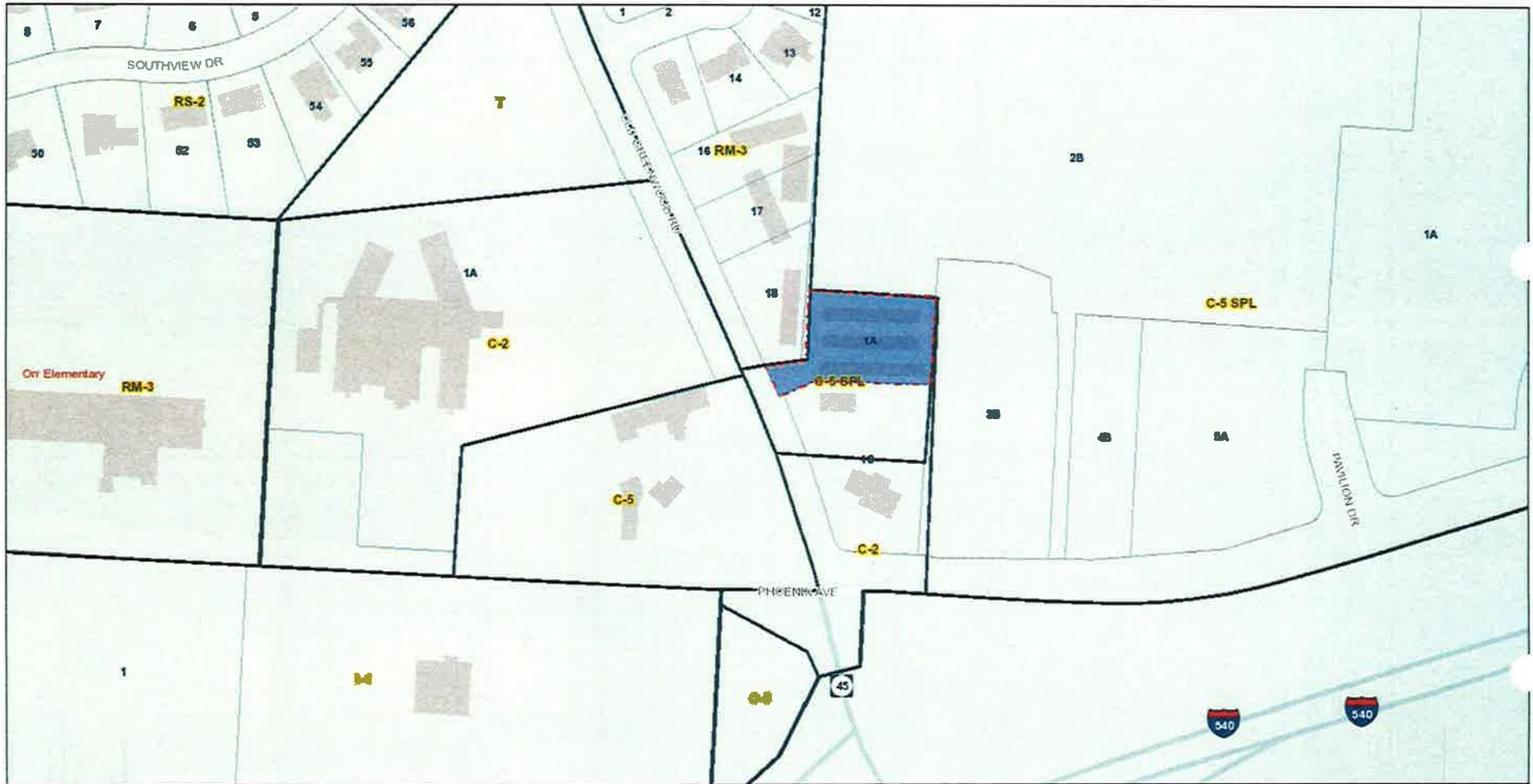
December 17, 2013

- | | | |
|------------------------------|----------------------|------------------------|
| — : — Fort Smith City Limits | — General Commercial | — Public/Institutional |
| — Subdivisions | — Industry | — Regional Center |
| — Building Footprints | — Mixed-Use-E | — Residential Attached |
| — Commercial | — Mixed-Use-R | — Residential Detached |
| — Commercial Neighborhood | — Office Research | |
| | — Open Space | |

HA

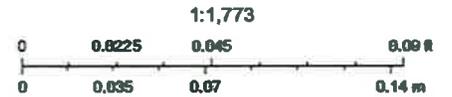


Rezoning #1-1-14: From Commercial Heavy Special (C-5 SPL) to Residential Multifamily High Density (RM-4); 4615 Old Greenwood Road



December 17, 2013

- Fort Smith City Limits
- Zoning
- Subdivisions
- Building Footprints



56

ORDINANCE NO. 12-14AN ORDINANCE REZONING IDENTIFIED PROPERTY
AND AMENDING THE ZONING MAP

WHEREAS, the City Planning Commission has heretofore held a public hearing upon request No. 2-1-14 to rezone certain properties hereinafter described, and, having considered said request, recommended on January 14, 2014, 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 the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of Section 15, and Part of the West Half (W/2) of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of Section 22, Township 8 North, Range 32 West and Part of Block 1, Hendricks Hills No. 3 Revised, Fort Smith, Sebastian County, Arkansas, being more particularly described as follows: Commencing at the Northwest Corner of said W/2 NE/4 NE/4, thence South along the West line said W/2 NE/4 NE/4 177.43 feet; thence S89°38'E, 190.22 feet to a chisled hole at the point of beginning S89°38'E, 74.00 feet to an existing concrete nail; thence South 01°57'W, 19.89 feet to an existing iron pin; thence S89°38'E, 68.03 feet to an existing iron pin; thence N14°52'E, 103.53 feet to an existing iron pin on the Southerly right-of-way line of Rogers Avenue; thence N52°55'W, along said Southerly right-of-way, 167.00 feet to a 12" spike nail; thence leaving said right-of-way S10°54'W, 183.27 feet to the point of beginning. Containing 0.48 acres more or less and being subject to any easements of record. Subject to all restrictions, easements, and rights-of-way, and oil and gas leases, if any.

more commonly known as 3900 Rogers Avenue

AND

Part of Block 1, Hendricks Hills No. 3, an addition to the City of Fort Smith, Sebastian County, Arkansas, being more particularly described as follows:

Beginning at an existing iron pin marking the southeast corner of said Block 1; thence N 87°10'43"W, along the south line thereof, 140.05 feet to an existing iron pin marking the southwest corner of said Block 1; thence N 02°31'15", along the west line of said Block 1, 103.08 feet to an existing iron pin marking the southeast corner of a warranty deed (Doc #7064215 filed: 2-4-2002); thence N 17°44'42"E, along the east line of said warranty deed, 103.53 feet to an existing iron pin marking the northeast corner of said warranty deed, said point also being located on the southerly right-of-way line of Rogers Avenue (Arkansas State Highway 22); thence S 49°44'34"E, along said southerly right-of-way line, 143.48 feet to the northeast corner of said Block 1; thence S 02°49'17"W, along the east line thereof, 115.90 feet to the point of beginning, containing 0.510 acres, more or less, being subject to public road rights-of-way and any easements of record, according to a survey by Anderson Surveying, Inc., P.L.S. #1272, Job #10-11-10.

more commonly known as 3920 Rogers Avenue, should be, and is hereby rezoned from Transitional (T) to Commercial Light (C-2) by Extension, subject to development plan approval prior to the issuance of a building permit for any new buildings or any new additions to the existing buildings.

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

PASSED AND APPROVED THIS 4th DAY OF February, 2014.

ATTEST:



City Clerk

APPROVED:

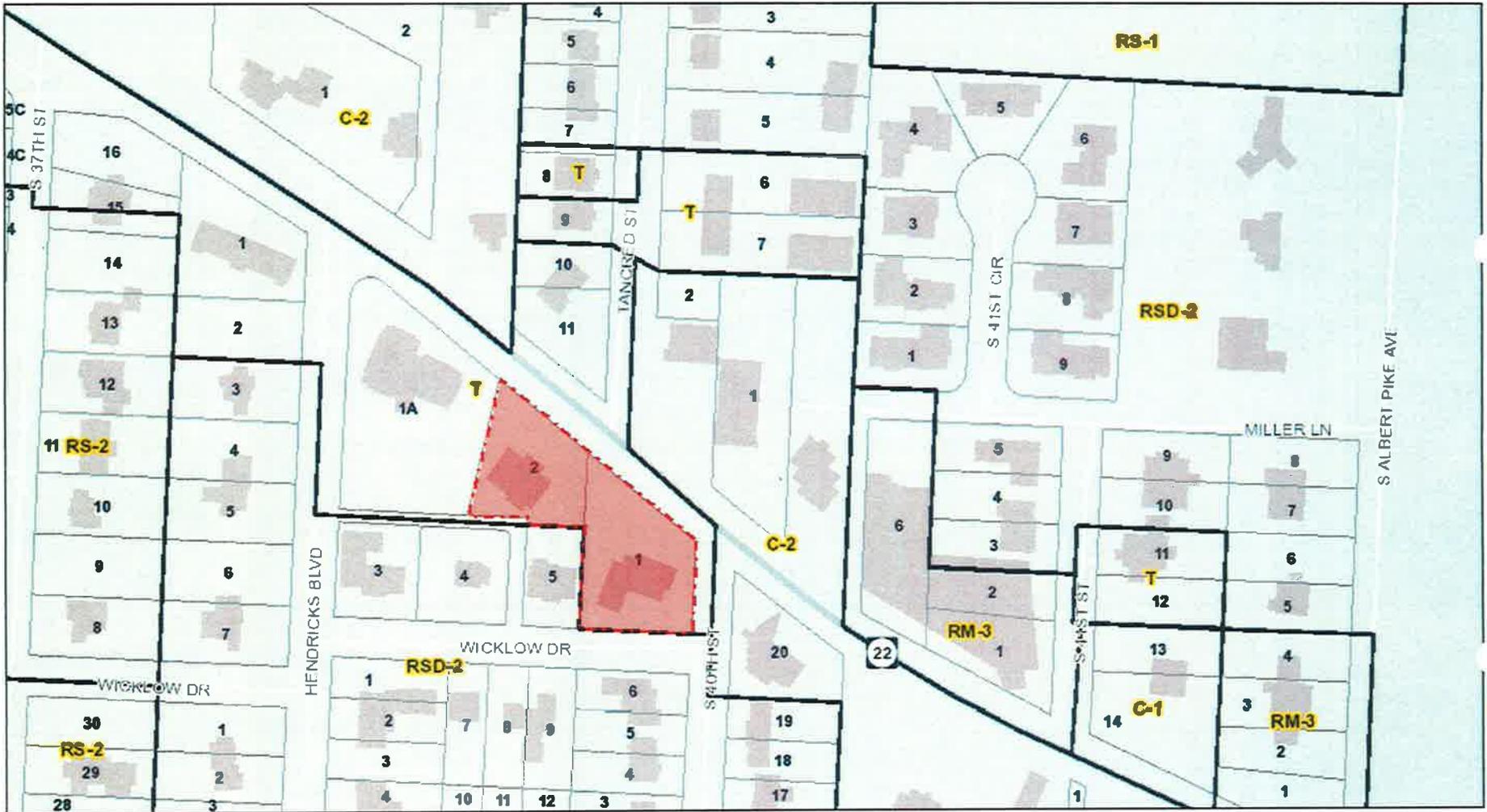

Mayor

Approved as to form:



Publish One Time

Rezoning #2-1-14: From Transitional (T) to Commercial Light (C-2) 3900 & 3920 Rogers Avenue



December 19, 2013

-  Fort Smith City Limits
-  Building Footprints
-  Zoning
-  Subdivisions



HL

ORDINANCE NO. 13-14

**AN ORDINANCE AMENDING THE MASTER LAND USE PLAN MAP AND
REZONING IDENTIFIED PROPERTY AND AMENDING THE ZONING MAP**

WHEREAS, the City Planning Commission has held a public hearing to consider a request to amend the Master Land Use Plan Map relative to property described in Section 1 of this ordinance, and, having considered the request, recommended on January 14, 2014, that said change be made; and,

WHEREAS, the Planning Commission determined the change to the Master Land Use Plan Map does conform to the goals and objectives of the Comprehensive Plan.

WHEREAS, the City Planning Commission has heretofore held a public hearing to consider request No. 3-1-14 to rezone certain properties hereinafter described, and, having considered said request, recommended on January 14, 2014, 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: The hereinafter described property is hereby reclassified on the Master Land Use Plan Map from Residential Detached to Residential Attached and the Master Land Use Plan Map is hereby amended to reflect said amendment to-wit:

Part of Lot 1, Cancer Support Foundation Addition to the City of Fort Smith as filed for record on June 9, 1999, being more particularly described as follows:

Beginning at an existing iron pin being the Southwest corner of said Lot 1; thence N 02°21'07"E, 186.10 feet along the West line of said Lot 1 to a set iron pin; thence S 85°59'54"E, 196.00 to a set iron pin; thence N 52°30'33"E 66.00 feet to a set iron pin; thence N 74°38'37"E, 244.99 feet to a set iron pin on the East line of said Lot 1; thence S 02°59'49"W, 311.00 feet to a set iron pin being the Southeast corner of said Lot 1; thence

N 85°59'54"W, 476.67 feet to the point of beginning, containing 2.52 acres more or less, being subject to public road rights of way and any easements of record.

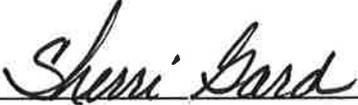
more commonly known as 1412 South 34th Street.

SECTION 2: The real property described in Section 1 is hereby rezoned from Transitional (T) to Residential Multifamily Medium Density (RM-3) by Extension, subject to the development plan approved by the Planning Commission on January 14, 2014.

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

PASSED AND APPROVED THIS 4th DAY OF February, 2014.

ATTEST:



City Clerk

APPROVED:



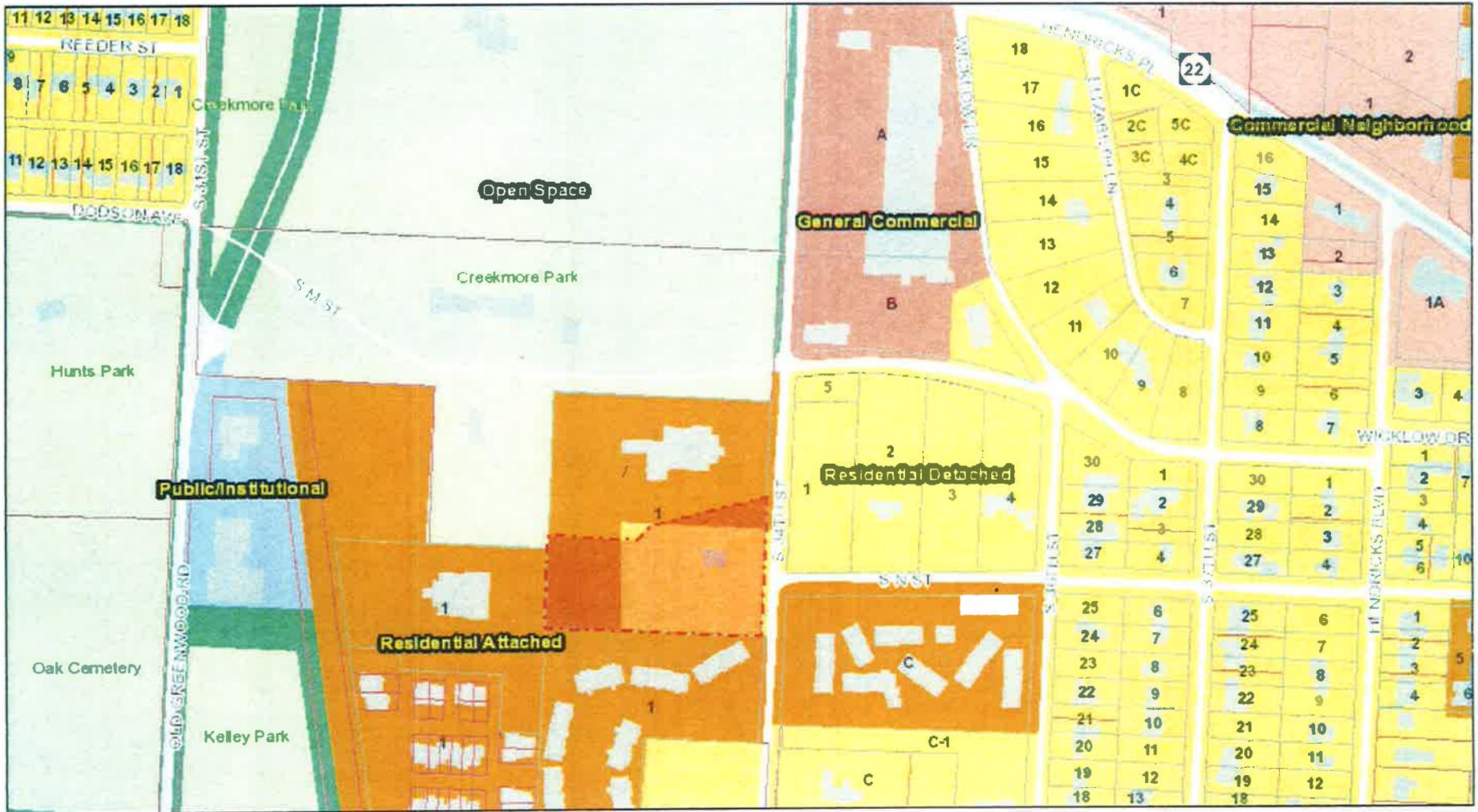
Mayor

Approved as to form



Publish One Time

Master Land Use Amendment: From Residential Detached to Residential Attached 1412 South 34th Street



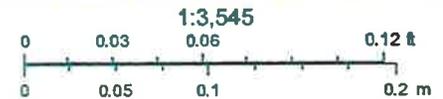
December 23, 2013

 Fort Smith City Limits

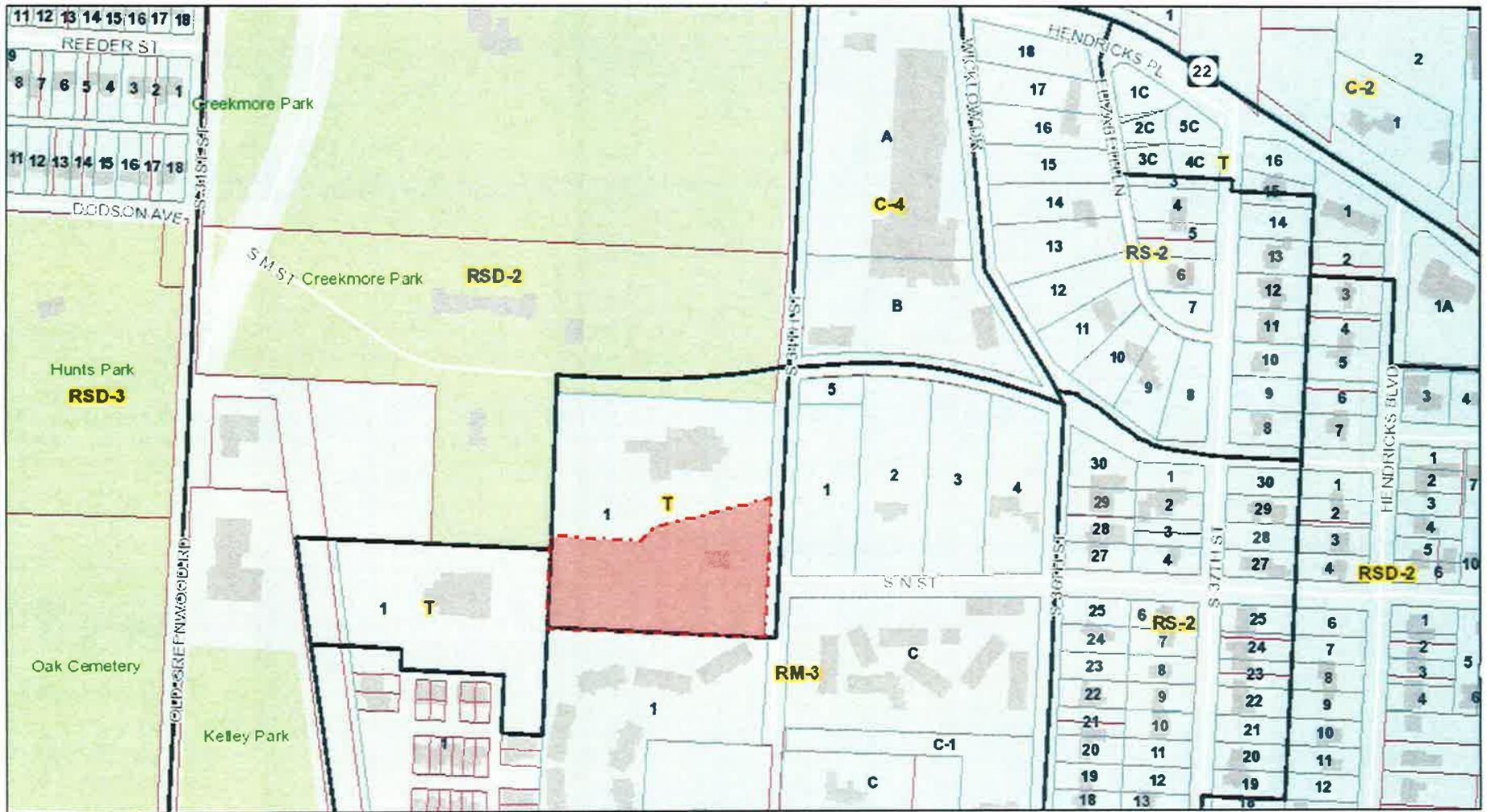
 Subdivisions

 Parcels

101

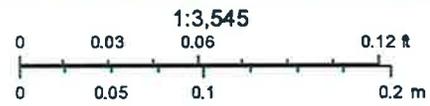


Rezoning #3-1-14: From Transitional (T) to Residential Multifamily Medium Density (RM-3) 1412 South 34th Street



December 23, 2013

- Fort Smith City Limits
- Zoning
- Subdivisions
- Parcels
- Building Footprints



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

WHEREAS, the City Planning Commission has heretofore held a public hearing upon request No. 4-1-14 to rezone certain properties hereinafter described, and, having considered said request, recommended on January 14, 2014, 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 The Southwest Quarter Southeast Quarter (SW1/4SE1/4) Of Section 26, Township 8 North, Range 32 West Of The Fifth Principal Meridian, Fort Smith, Sebastian County, Arkansas, Being More Particularly Described As Follows:

Commencing The Southeast Corner Of Said Southwest Quarter Southeast Quarter (SW1/4SE1/4); Thence North 02° 58' 08" East Along The East Line Thereof A Distance Of 75.00 Feet To A Chiseled 'X' In Concrete On The Northerly Right-of-Way Line Of Leigh Avenue And The POINT OF BEGINNING; Thence North 87° 02' 43" West Along Said Northerly Right-of-Way Line A Distance of 214.34 Feet To A 1/2" Rebar On The Easterly Right-of-Way Line Of Phoenix Avenue; Thence North 87° 02' 46" West A Distance of 80.83 Feet To An Existing Rebar (RLS #905) On The Westerly Right-of-Way Line Of Said Phoenix Avenue; Thence North 87° 02' 46" West Continuing Along Said Northerly Right-of-Way Line Of Leigh Avenue a Distance of 154.82 Feet To An Existing Rebar (RLS #905) On The Southerly Right-of-Way Line of Interstate Highway 540; Thence along said Southerly Right-of-Way Line The Following Courses (Bearing and Distance): North 02° 10' 19" East, 20.80 Feet To An Existing Right-of-Way Marker; North 86° 54' 59" West, 85.63 Feet To An Existing Right-of-Way Marker; North 07° 47' 11" West, 175.05 Feet To An Existing Right-of-Way Marker; North 23° 57' 51" East, 223.41 Feet To An Existing Right-of-way Marker; North 43° 04' 13" East, 753.60 Feet To An Existing Right-of-Way Marker; North 45° 48' 43" East, 4.54 Feet To A 1/2" Rebar On The East Line Of Said Southwest Quarter Southeast Quarter (SW1/4SE1/4); Thence South 02° 58' 04" West Along Said East Line A Distance of 981.16 Feet To The Point Of Beginning. Less and Except Phoenix Avenue Right-of-Way. Containing 6.489 Acres, More Or Less.

more commonly known as 5400, 5401 & 5451 Phoenix Avenue, should be, and is hereby rezoned from Industrial Light (I-1) to Commercial Heavy (C-5) by Classification, subject to the development plan approved by the Planning Commission on January 14, 2014, and all future development on property described in this section will require Planning Commission approval of a development plan.

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

PASSED AND APPROVED THIS 4th DAY OF February, 2014.

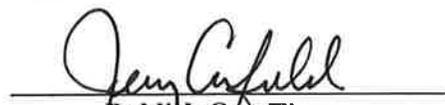
APPROVED:


Mayor

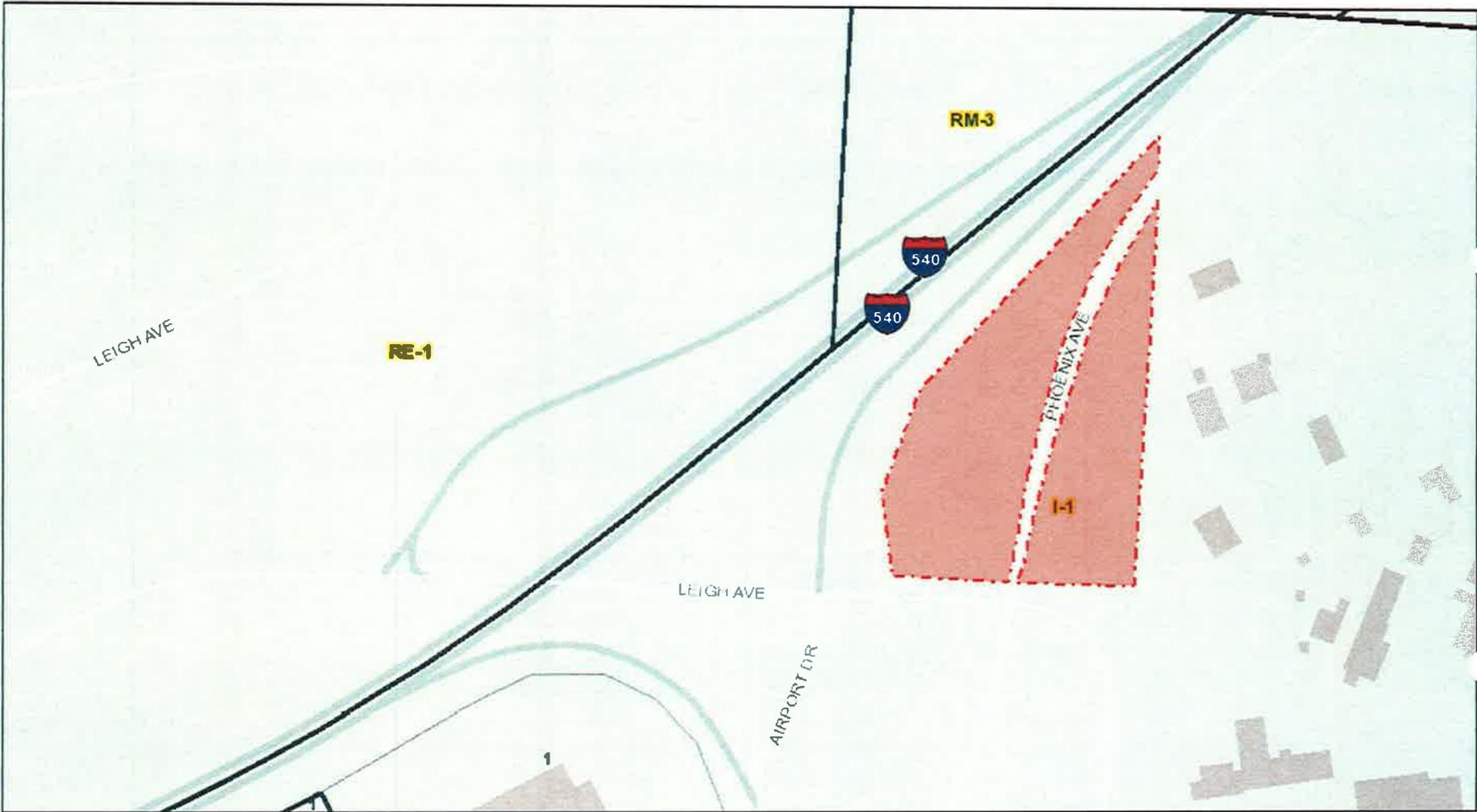
ATTEST:


City Clerk

Approved as to form:


Publish One Time

Rezoning #4-1-14: From Industrial Light (I-1) to Commercial Heavy (C-5) 5400, 5401 & 5451 Phoenix Avenue



December 26, 2013

-  Fort Smith City Limits
-  Building Footprints
-  Zoning
-  Subdivisions

15E



ORDINANCE NO. 15-14

**AN ORDINANCE REZONING IDENTIFIED PROPERTY
AND AMENDING THE ZONING MAP**

WHEREAS, the City Planning Commission has heretofore held a public hearing upon request No. 6-1-14 to rezone certain properties hereinafter described, and, having considered said request, recommended on January 14, 2014, 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 the Southwest Quarter of the Northwest Quarter of Section 8, Township 7 North, Range 31 West, Fort Smith, Sebastian County, Arkansas, being more particularly described as follows:

Commencing at an existing ½" rebar with cap stamped PLS 1272 at the Northwest Corner of said Section 8; thence along the North line of said Section 8, S 86°45'32"E, 740.79 feet to the easterly right-of-way line of Veterans Avenue; thence along said right-of-way line the following courses: S 30°51'41"W, 369.49 feet; 373.84 feet along the arc of a curve to the left, said curve having a radius of 764.68 feet and being subtended by a chord having a bearing of S16°51'21"W and a distance of 370.13 feet; S 02°52'50"W 463.00 feet; S 02°52'50"W, 463.00 feet; S 02°17'54"W, 614.11 feet; S04°01'44"W, 238.42 feet to the north line of a 4.89 acre tract as described in Document Number 7064742 filed for record February 8, 2002 and the Point of Beginning; thence along said north line, S87°13'23"E, 604.85 feet to the westerly right-of-way line of Chad Colley Boulevard; thence along said westerly right-of-way line, S30°49'29"W, 455.12 feet; thence N87°26'58"W, 455.07 feet; thence N10°51'54"E, 175.97 feet; thence N06°27'27"E, 132.02 feet; thence N03°38'12"E, 97.51 feet; thence S87°13'23"E, 29.52 feet to the Point of Beginning. Containing 4.98 acres, more or less.

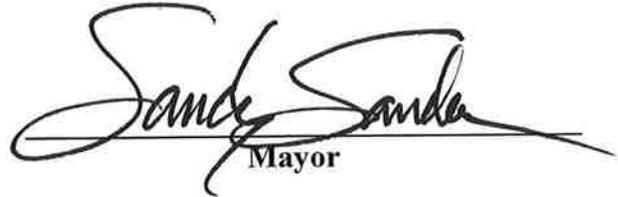
more commonly known as 8201 and 8205 Veterans Avenue, should be, and is hereby rezoned from Not Zoned to Industrial Light (I-1) by Classification, subject to the development plan

approved by the Planning Commission on January 14, 2014.

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

PASSED AND APPROVED THIS 4th DAY OF February, 2014.

APPROVED:


Mayor

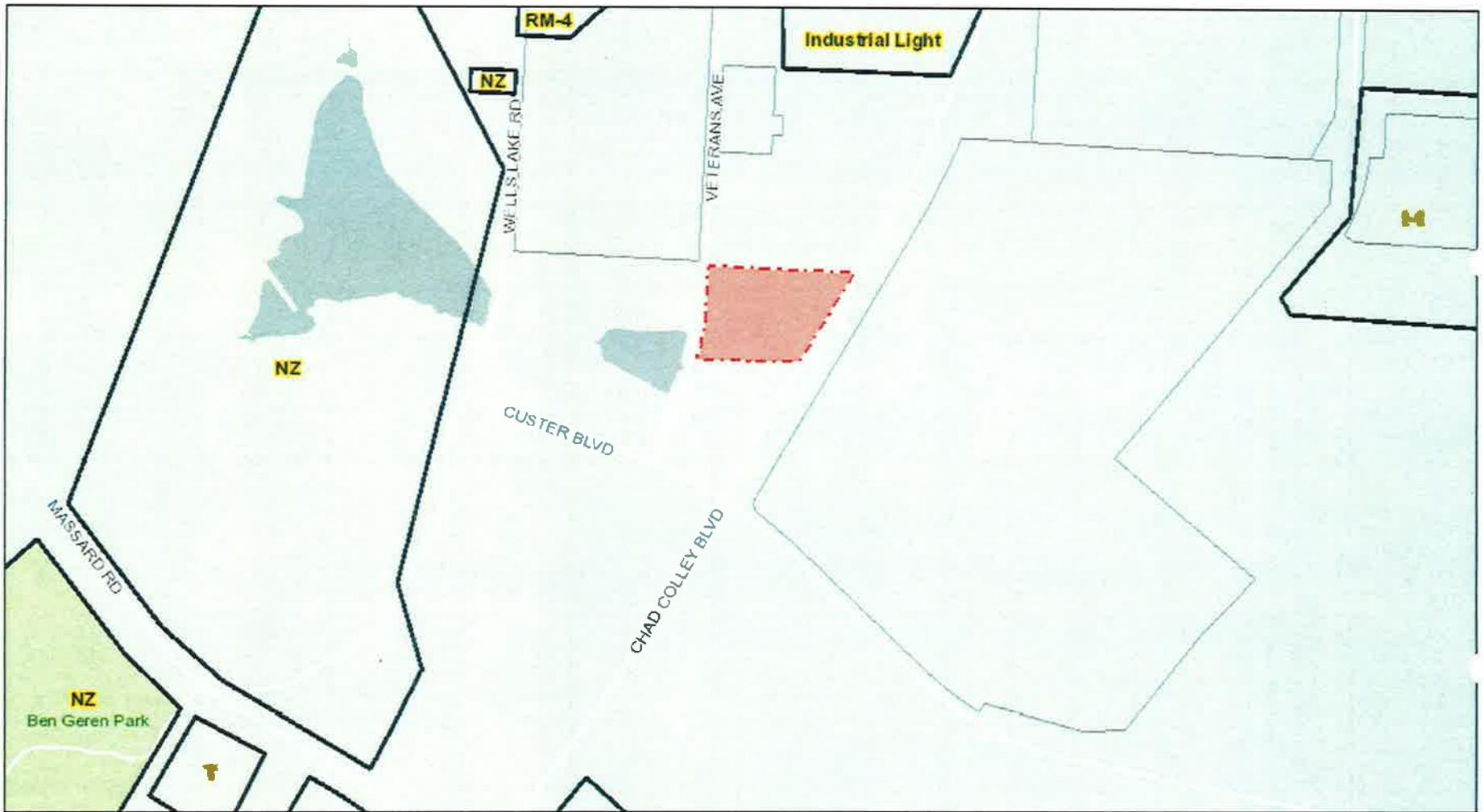
ATTEST:


City Clerk

Approved as to form:


Publish One Time

Rezoning #6-1-14: From Not Zoned to Industrial Light (I-1) 8201 & 8205 Veterans Avenue



December 27, 2013

- Fort Smith City Limits
- Zoning
- Subdivisions

21E



RESOLUTION NO. R-6-14

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH SMITH COMMUNICATIONS, LLC FOR A TOWER AND WIRELESS COMMUNICATIONS FACILITY AT CAROL ANN CROSS PARK

WHEREAS, Smith Communications, LLC requests to install a tower and wireless communications facility at Carol Ann Cross Park to provide the infrastructure needed for cell phone and wireless communications providers, and;

WHEREAS, a tower in this location will improve cell phone and communication services in this inadequately served area of the City addressing the concerns of citizens, and;

WHEREAS, the receipts from the lease payments will provide a funding source for improvements to Carol Ann Cross Park,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Fort Smith, Arkansas that:

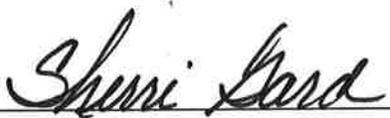
Section 1: The Mayor is hereby authorized to execute the attached lease agreement with Smith Communications, LLC.

This Resolution passed this 4th day of February, 2014.

APPROVED:

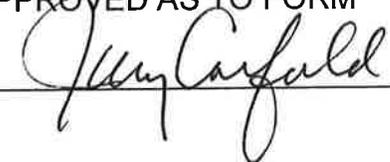

Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM



npr

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CARETAKING LEASE ON CITY OWNED PROPERTY AT THE HAVEN HILL RESERVOIR

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

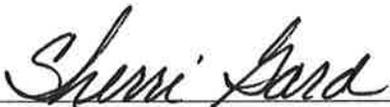
The Mayor is hereby authorized to execute a caretaking lease with Wayne Haver on city owned property associated with the Haven Hill Reservoir on Glen Haven Drive, Fort Smith, Arkansas.

This Resolution adopted this 4th day of February 2014.

APPROVED:


Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



npr

RESOLUTION ACCEPTING THE PROJECT AS COMPLETE AND AUTHORIZING FINAL PAYMENT TO NEBO RESIDUALS SERVICES, INC., FOR THE LAKE FORT SMITH AND LEE CREEK WATER TREATMENT PLANT RESIDUALS LAGOON CLEANING

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

SECTION 1: The Lake Fort Smith and Lee Creek Water Treatment Plant Residuals Lagoon Cleaning, Project Number 13-06-C1, is hereby accepted as complete.

SECTION 2: Final payment to Nebo Residuals Services, Inc., in the amount of 37,203.00, is hereby approved.

This Resolution adopted this 4th day of February 2014.

APPROVED:



ATTEST:



City Clerk

APPROVED AS TO FORM:



npr

ORDINANCE NO. 16-14

**AN ORDINANCE AMENDING ORDINANCE NO. 14-10 REGARDING THE USE OF
FEDERAL ASSET FORFEITURE FUNDS TO INCREASE THE TOTAL NUMBER OF
AUTHORIZED SWORN OFFICER POSITIONS FOR THE FORT SMITH POLICE
DEPARTMENT**

WHEREAS, on April 6, 2010, the Board of Directors enacted Ordinance No. 14-10, authorizing an increase in the sworn officer strength of the Fort Smith Police Department by one (1) additional officer to a total of one hundred and sixty-eight (168) officers; and,

WHEREAS, The Fort Smith Police Department utilized Federal Asset Forfeiture money to fund the salary and benefits for that one (1) additional position in accordance with the Guide to Equitable Sharing for State and Local Law Enforcement Agencies (April 2009), the salary and benefits for that position having been tabulated at \$58,782.49 for a 25 year veteran of the police department; and,

WHEREAS, the Fort Smith Police Department, having an existing Memorandum of Understanding (MOU) with the Internal Revenue Service governing the use of a Fort Smith Police Detective to staff the Suspicious Activity Report (SAR) Task Force in a full-time capacity, will continue to fund this position by utilizing Federal Asset Forfeiture monies for the life of the MOU, and, whereas, upon reassignment of that Detective back to the police department on a full-time or part-time basis, the Fort Smith Police Department will reduce authorized strength by one full-time equivalent position within six months.

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

SECTION 1. The Fort Smith Police Department will now utilize Federal Asset Forfeiture money to fund the one (1) additional position authorized by Ordinance No. 14-10 by using the mid-point entry level salary and benefits of a first year sworn officer as established each year by ordinance. By example, the salary and benefits for a mid-point entry level officer for FY2014 would be \$53,872.67.

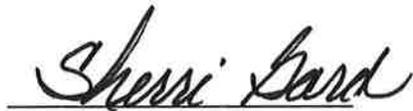
SECTION 2. Emergency Clause. It is hereby determined that an emergency exists regarding the sworn officer strength of the Fort Smith Police Department and the funding thereof so that it is determined that the health, safety and welfare of the City's inhabitants requires the immediate effectiveness of this Ordinance.

PASSED AND APPROVED THIS 4th DAY OF February, 2014.

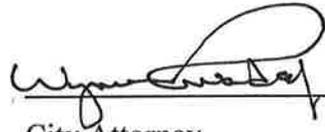
APPROVED:


MAYOR

ATTEST:


CITY CLERK

Approved as to form:

 npr
City Attorney

RESOLUTION NO. R-9-14

**A RESOLUTION APPROVING CHANGE ORDER NUMBER 1 TO CONTRACT FOR
FIRE STATIONS UPGRADES WITH SOUTHERN BUILDING SERVICES, INC.**

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

Change Order number 1, adding \$16,752.95 to the cost of work and 28 days to contract
time, are hereby approved resulting in a total contract sum of \$799,752.95 for the City's contract
for fire station upgrades with Southern Building Services, Inc.

This Resolution adopted this 4th day of February, 2014.

APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to form:


City Attorney
No Publication Required

RESOLUTION NO. R-10-14

RESOLUTION ACCEPTING BID FOR THE PURCHASE OF AN
AUTOMATED SIDE LOADING REFUSE TRUCK WITH PACKER BODY

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

The bid, as indicated by enclosure for the purchase of an automated side
loading refuse truck from Shipley Motor for \$272,075.90, is accepted.

This Resolution adopted this 4th day of February, 2014.

APPROVED:


MAYOR

ATTEST:


CITY CLERK

Approved as to form:


 No Publication Required
 Publish ___ Times

Interoffice Memorandum

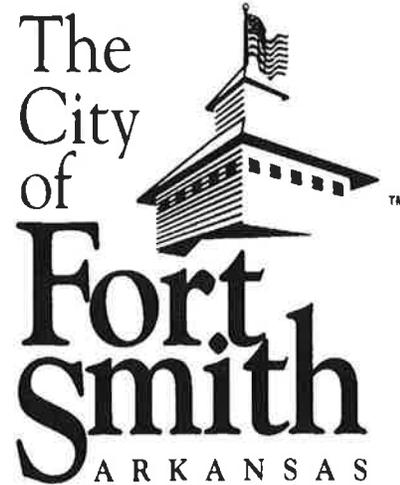
TO: Ray Gosack, City Administrator

COPY TO: Baridi Nkokheli, Director of Sanitation

FROM: Alie Bahsoon, Purchasing Manager

SUBJECT: Purchase of Automated Side Loader Truck

DATE: January 27, 2014



The 2014 Budget earmarked funding for the purchase of an automated side loader truck for the Residential Collection Division of the Department of Sanitation.

In April of 2011, bids were solicited for an automated side loading refuse truck with packer body and per Resolution R-61-11, the bid was awarded to Shipley Motor Equipment ("Shipley") of Fort Smith, Arkansas.

In our bid document (available in Purchasing), there was a provision that allows the City to exercise an option to renew the contract with Shipley Motor for four (4) consecutive one (1) year periods under the terms and conditions of the bid. This renewal was contingent upon a mutual agreement between the City and Shipley. Additionally, Shipley was advised that a price adjustment is allowable upon giving the City a thirty (30) day written notice of any price increase/decrease. Shipley has met these criteria and advised us in ample time of a \$4062.28 price increase for a 2015 model truck (Model LEU 613 with a Heil Formula 5000 refuse body). The last purchase made was for a 2013 model truck for \$268,013.62. Per staff recommendations, this price increase is acceptable. With the Board's approval, the City's cost for the new truck will be \$272,075.90. It is our intent to keep Asset #170 for spare parts rather than sending it to the auction.

The 2014 budget reflects a budgeted amount of \$270,000 in the Capital Outlay Fund for this side loader (Program 6302-301-Residential Collection).

If you should require any additional information, please let me know.



CHASSIS SPECIFICATIONS SUMMARY

December 31, 2013

2015 MACK LEU613

REFUSE AUTO SIDE LOADER On/Off Hwy
STRAIGHT TRUCK WITHOUT TRAILER

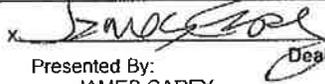
| | | | |
|--------------------|-------------------------------------|---------------------|---|
| Engine | MACK MP7-325M 325HP | Transmission | 4500-RDS-6 |
| | | Clutch | |
| Front Axle | 20,000# FXL20 | Rear Axle | 46,000# S462 Ratio 5.31 |
| Suspension | 20,000# | Suspension | 46,000# SS462 |
| Tires | Front: 315/80R22.5 Rear: 11R22.5 | Wheels | 22.5x9.0 STEEL DISC (10-HOLE) 22.5x8.25 STEEL DISC (10 HOLE) |
| Ratings | GVW: 64,000# | Fuel Tanks | LH: 70gal |
| Fifth Wheel | | Sleeper | |

PRICING SUMMARY

| | <u>List Price</u> |
|--|---------------------|
| CHASSIS BASE | \$226,381.00 |
| Factory Options | \$8,679.00 |
| Freight | \$2,050.00 |
| Less Additional Factory Rebate | |
| Sales Allowances | |
| TOTAL FACTORY | \$237,110.00 |
| Locally Installed Options | \$145,100.00 |
| Soft Products/Bulldog Protection Plans | \$0.00 |
| TOTAL FACTORY & LOCAL | \$382,210.00 |
| Less Customer Discount from List | \$110,079.40 |
| SELLING PRICE (Excluding Taxes/Fees/Trade) | \$272,130.60 |
| Less Trade Allowances per New Vehicle | \$0.00 |
| QUOTED PRICE OR TRADE DIFFERENCE | \$272,130.60 |
| OBD Surcharge | \$270.00 |
| Net FRET or Canadian GST Taxes | \$0.00 |
| Tire Tax Credit (Municipal Only) | (\$324.70) |
| Sales/Usage Taxes | \$0.00 |
| License/Title/Etc. | |
| Misc Fees not subject to FRET | |
| ACQUISITION COST (Include Trade if applies) | \$272,075.90 |
| Less Down Payment | |
| BALANCE DUE Per Unit | \$272,075.90 |
| PRICE (Total Order) | \$272,075.90 |
| BALANCE DUE (Total Order) | \$272,075.90 |

Total Quantity: 1 **Estimated Total Weight:** 84,841# **Reference#:** AHPZ004615A

X _____
 Prepared For: Customer Signature Date
 TERRY RANKIN, CITY OF FT. SMITH
 9701 HWY 45
 FT SMITH, AR 72916
 Phone: --
 Fax: --

x  _____
 Presented By: Dealer Signature Date
 JAMES CAREY
 SHIPLEY MOTOR
 2800 WHEELER AVE.
 FT. SMITH, ARKANSAS 72901
 479-782-8281
 james.carey@shipleymotor.com
 SHIPLEYMOTOR.COM