

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**  
**May 20, 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**

Pastor Clair Caldwell with First United Methodist Church

**ROLL CALL**

All present, except Catsavis & Good ~ Mayor Sanders presiding ~

*Note: Director Good arrived following approval of the minutes*

**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 MAY 6, 2014 REGULAR MEETING**

Unanimously approved as written

**ITEMS OF BUSINESS:**

1. Presentation: Public Works Week (May 18 - 24, 2014)
2. Consent Agenda
  - A. Resolution authorizing the acquisition of real property interests for the Jenny Lind Road and Ingersoll Avenue Widening, Project No. 07-01-A (\$21,975.00 / Engineering Department / Budgeted – Street Sales Tax Program)  
Approved 6 in favor, 0 opposed / Resolution No. R-49-14

- B. Resolution accepting completion of and authorizing final payment for the construction of Street Overlays/Reconstruction, Project No. 12-03-B (\$2,781.32 / *Engineering Department / Budgeted – Street Sales Tax Program*)  
Approved 6 in favor, 0 opposed / Resolution No. R-50-14
- C. Resolution authorizing the Mayor to execute a lease agreement with Webster University for space on the lower level of the Convention Center Annex  
Approved 6 in favor, 0 opposed / Resolution No. R-51-14
- D. Resolution approving an amendment to the engineering and architectural agreement with Larkin Group, Inc., authorized by Resolution R-127-12, revising engineering and architectural fees related to the construction of a recreational aquatics facility at Ben Geren Regional Park (\$190,000.00 / *Parks Department / Budgeted – 2012 Sales Tax Bonds and Resolution No. R-186-13*)  
Approved 6 in favor, 0 opposed / Resolution No. R-52-14
- E. Resolution authorizing Change Order No. 3 to the contract for construction of the Fort Smith Landfill Scale Facility (\$37,860.53 / *Sanitation Department / Budgeted – Sanitation Sinking Fund for Landfill Construction*)  
Approved 6 in favor, 0 opposed / Resolution No. R-53-14
- F. Resolution accepting the bid for the purchase of fire apparatus (\$699,597.00 / *Fire Department / Budgeted – 4803 Capital Outlay Sinking Fund*)  
Approved 6 in favor, 0 opposed / Resolution No. R-54-14
- G. Resolution accepting the project as complete and authorizing final payment to Forsgren, Inc. for the Sunnymede Interceptor Improvements (\$35,411.73 / *Utility Department / Budgeted - 2012 Sales and Use Tax Bonds*)  
Approved 6 in favor, 0 opposed / Resolution No. R-55-14
- H. Resolution authorizing partial payment to BRB Contractors, Inc. for construction of the Mill Creek Pump Station and Equalization Tank (\$1,001,926.66 / *Utility Department / Budgeted - 2012 Sales and Use Tax Bonds*)  
Approved 6 in favor, 0 opposed / Resolution No. R-56-14
- I. Resolution authorizing the City Administrator to accept an offer made by a property owner for the acquisition of real property interests for the Lake Fort Smith Water Supply (\$25,000.00 / *Utility Department / Budgeted – 6505 Capital Improvement Fund*)  
Approved 6 in favor, 0 opposed / Resolution No. R-57-14

**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 6:10 p.m.)

Appointments:

**ADVERTISING AND PROMOTION COMMISSION**

Henry Perez *(to fill the unexpired term of Robert McCaslin)*  
Term expires December 31, 2015

**AIRPORT COMMISSION**

Wayne Haver *(reappointment)*  
Term expires June 30, 2019

**ANIMAL SERVICES ADVISORY BOARD**

Sherilyn Walton *(reappointment)*  
Term expires May 20, 2017

**COMMUNITY DEVELOPMENT ADVISORY COMMITTEE**

Kerri Norman *(reappointment)*  
George Willis *(reappointment)*  
Genia Smith *(reappointment)*  
Joshua Carson *(reappointment)*  
Terms expire June 30, 2017

**FORT SMITH MUNICIPAL EMPLOYEES BENEVOLENT FUND  
BOARD OF ADVISORS**

Patrick Geels  
Term expires June 30, 2017

**ADJOURN**

6:19 p.m.

RESOLUTION R-49.14

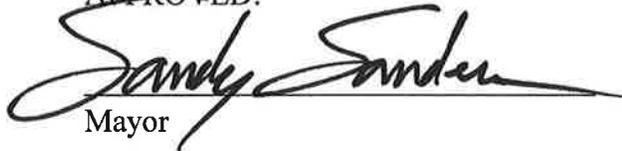
**A RESOLUTION AUTHORIZING THE ACQUISITION OF REAL  
PROPERTY INTERESTS FOR THE JENNY LIND ROAD AND  
INGERSOLL AVENUE WIDENING  
PROJECT NO. 07-01-A, AHTD JOB NO. 040471**

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

The City Administrator is hereby authorized to acquire from Westbrook Development, LLC in fee the right-of-way acquisition area of Tract 58 and to acquire the temporary construction easement from Tract 58 as shown on the attached Property Acquisition Map of Tract 58 for a total cash consideration of \$21,975.00 in full satisfaction of all acquired interests and associated rights of the owners of Tract 58.

This resolution adopted this 20 day of May, 2014.

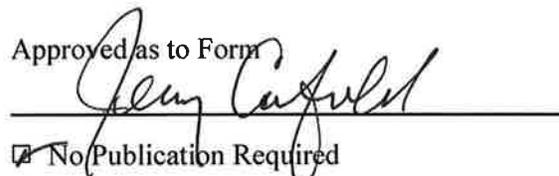
APPROVED:

  
Mayor

ATTEST:

Heather James  
City Clerk, acting

Approved as to Form



- No Publication Required
- Publish \_\_\_ Times

RESOLUTION R-50-14

**A RESOLUTION ACCEPTING COMPLETION OF AND  
AUTHORIZING FINAL PAYMENT FOR THE CONSTRUCTION OF  
STREET OVERLAYS/RECONSTRUCTION  
PROJECT NO. 12-03-B**

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

SECTION 1: The City of Fort Smith hereby accepts the construction of Street Overlays/Reconstruction, Project No. 12-03-B, as complete.

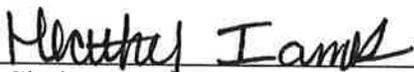
SECTION 2: Final payment is hereby authorized in the amount of \$ 2,871.32 to the contractor, Forsgren, Inc., for the Street Overlays/Reconstruction, Project No. 12-03-B.

This resolution adopted this 20 day of May, 2014.

APPROVED:

  
Mayor

ATTEST:

  
City Clerk, acting

Approved as to Form



No Publication Required

Publish \_\_\_ Times

RESOLUTION NO. R-51-14

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT  
WITH WEBSTER UNIVERSITY FOR SPACE ON THE LOWER LEVEL OF THE  
CONVENTION CENTER ANNEX**

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

The Mayor is authorized to execute the attached lease with Webster University for a portion of the lower level of the Convention Center Annex, located at 801 Carnall Avenue, Fort Smith, AR 72901. The space to be leased shall be used as offices and classrooms for the Fort Smith Campus of Webster University for the period of June 1st, 2014 through May 31<sup>st</sup>, 2015.

THIS RESOLUTION ADOPTED this 20 day of May, 2014.

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk, acting

Approved as to form:

  
\_\_\_\_\_  
NPR

RESOLUTION NO. R-52-14

A RESOLUTION APPROVING AN AMENDMENT TO THE ENGINEERING AND ARCHITECTURAL AGREEMENT WITH LARKIN GROUP, INC., AUTHORIZED BY RESOLUTION R-127-12 REVISING ENGINEERING AND ARCHITECTURAL FEES RELATED TO THE CONSTRUCTION OF A RECREATIONAL AQUATICS FACILITY AT BEN GEREN REGIONAL PARK

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

The Mayor is hereby authorized to execute, his signature being attested by the City Clerk, an amendment to the Engineering and Architectural Agreement with Larkin Group, Inc. approved by Resolution R-127-12, providing for the following additional features and enhancements:

- Wave pool
- Restroom and building enhancements
- Additional shade structures
- Sound/PA System
- Enhanced landscaping
- Programmable highway sign
- Theming elements in park
- UV disinfection for all pools
- Faux rock elements at Lazy River
- Translucent Fiberglass on waterslide
- Rentable structures at concessions area
- Themed signage
- Large themed play structure
- Spray elements at lazy river

The fee for the above listed services is \$190,000.00, adjusting the total Engineering and Architectural Agreement fee to the amount of \$757,500.00. The foregoing approvals are contingent upon approval of same by Sebastian County.

This Resolution adopted this 20 day of May, 2014.

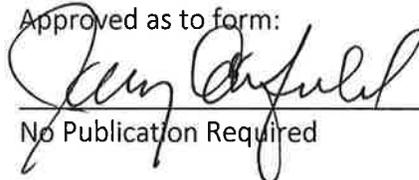
APPROVED:

  
Mayor

ATTEST:

  
City Clerk, acting

Approved as to form:

  
No Publication Required

RESOLUTION R-53.14

**A RESOLUTION AUTHORIZING CONTRACT CHANGE  
ORDER #3 TO THE CONTRACT FOR THE CONSTRUCTION  
OF THE FORT SMITH LANDFILL SCALE FACILITY**

---

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

SECTION 1: A contract change order amending the City's contract with Steve Beam Construction, Inc. for the construction of the Fort Smith Landfill Scale Facility increasing the contract amount by \$37,860.53, to an adjusted contract amount of \$3,269,502.34, is hereby approved.

SECTION 2: The Mayor is hereby authorized to execute the contract change order approved by Section 1 of this Resolution.

This Resolution adopted this 20<sup>th</sup> day of May, 2014.

APPROVED:

  
Mayor

ATTEST:

  
City Clerk, acting

Approved as to form:

  
No Publication Required

RESOLUTION NO. R-54.14

**RESOLUTION ACCEPTING BID FOR THE PURCHASE OF  
FIRE APPARATUS**

---

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

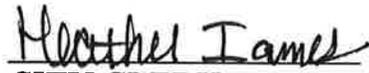
The bid, as indicated by enclosure for the purchase of 1 (one) fire apparatus  
for \$699,597 from Pierce Manufacturing, Inc., is accepted.

This Resolution adopted this 20 day of May, 2014.

APPROVED:

  
MAYOR

ATTEST:

  
CITY CLERK, acting

Approved as to form:



No Publication Required

RESOLUTION ACCEPTING THE PROJECT AS COMPLETE AND  
AUTHORIZING FINAL PAYMENT TO FORSGREN, INC., FOR THE  
SUNNYMEDE INTERCEPTOR IMPROVEMENTS (S008, S009)

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

SECTION 1: The construction of Sunnymede Interceptor Improvements (S008, S009),  
Project Number 12-13-C1, is hereby accepted as complete.

SECTION 2: Final payment to Forsgren, Inc., in the amount of \$35,411.73, is hereby  
approved.

This Resolution adopted this 20 day of May 2014.

APPROVED:

  
Mayor

ATTEST:

Michelle James  
City Clerk, acting

APPROVED AS TO FORM:

  
npr

RESOLUTION AUTHORIZING PARTIAL PAYMENT TO  
BRB CONTRACTORS, INC., FOR CONSTRUCTION OF THE MILL  
CREEK PUMP STATION AND EQUALIZATION TANK

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

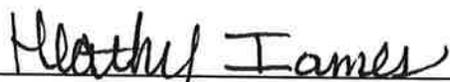
Partial payment number one to BRB Contractors, Inc., in the amount of  
\$1,001,926.66 for the construction of the Mill Creek Pump Station and Equalization Tank,  
Project Number 10-01-C1, is hereby approved.

This Resolution adopted this 20 day of May 2014.

APPROVED:

  
Mayor

ATTEST:

  
City Clerk, acting

APPROVED AS TO FORM:

  
npr

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AN OFFER  
MADE BY A PROPERTY OWNER FOR THE ACQUISITION OF REAL PROPERTY  
INTERESTS FOR THE LAKE FORT SMITH WATER SUPPLY

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

The City Administrator is hereby authorized to accept an offer for the acquisition of a watershed  
protection easement made by the following property owner:

| <u>Tract Number</u> | <u>Property Owner</u> | <u>Amount</u> |
|---------------------|-----------------------|---------------|
| 25-29               | Benjamin H. Raney     | \$25,000.00   |

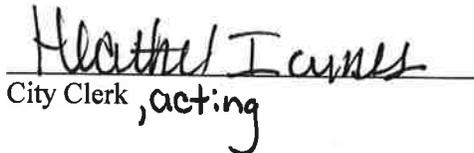
and to make payment for same in connection with the acquisition of a watershed protection easement  
designated as 99-01-P for the Lake Fort Smith Water Supply, Project 99-01, said property located at  
17901 Boston Mountain Road, Mountainburg, Arkansas 72946, being a part of Section 25, Township 12  
North, Range 30 West, Crawford County, Arkansas.

This Resolution adopted this 20 day of May 2014.

APPROVED:

  
Mayor

ATTEST:

  
City Clerk, acting

APPROVED AS TO FORM:

  
npr