

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

June 3, 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 Phil Redding with River of Life Fellowship

ROLL CALL

- All present, except Lau & Lorenz (*Director Lorenz arrived during discussion of Item No. 3*)
- 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 MAY 20, 2014 REGULAR MEETING

Unanimously approved as written

ITEMS OF BUSINESS:

1. Ordinance rezoning identified property and amending the zoning map (*from Not Zoned to Industrial-1 by classification located at 10300 Roberts Boulevard, 12201 Roberts Boulevard and 8201 Flagstone Road; from Not Zoned to Industrial-1 by extension located at 8100 Chad Colley; from Not Zoned to Industrial-2 by classification located at 8201 Chad Colley; and, from Not Zoned to Industrial-3 by classification located at 10000 Roberts Boulevard*)
Approved 5 in favor, 0 opposed / Ordinance No. 28-14
2. Ordinance amending the 2009 Unified Development Ordinance of the City of Fort Smith (*June 2014 Amendments*)
Approved 5 in favor, 0 opposed / Ordinance No. 29-14

3. Ordinance ordering the owners of certain dilapidated and substandard structures to demolish same, authorizing the City Administrator to cause the demolition of such structures to occur, and for other purposes (*606 North 12th Street & rear building and 2308 North 27th Street*)
Approved 5 in favor, 0 opposed / Ordinance No. 30-14
4. Consent Agenda
 - A. Resolution stating the City of Fort Smith's support for the Sustainable Arkansas Program ~ *Good / Lau placed on agenda at the May 27, 2014 study session ~*
4 in favor, 2 opposed (Catsavis/Settle) to table consideration pending discussion at a future study session
~ *Separate vote requested by Director Settle ~*
 - B. Resolution adopting a Board Governance Policy ~ *Lau / Lorenz placed on agenda the May 27, 2014 brainstorming meeting ~*
Died for lack of a motion
~ *Separate vote requested by Director Weber ~*
 - C. Resolution to accept the bids and authorize a contract for the construction of Drainage Improvements, Project 13-06-B1 (*\$510,909.00 / Engineering Department / Budgeted – Street Sales Tax Program Fund*)
Approved 6 in favor, 0 opposed / Resolution No. R-58-14
 - D. Resolution authorizing an agreement between the City of Fort Smith, Arkansas and the Fort Chaffee Redevelopment Authority to jointly design, construct and fund the construction of public streets (*\$1,900,000.00 / Engineering Department / Budgeted – Street Sales Tax Program Fund*)
Approved 6 in favor, 0 opposed / Resolution No. R-59-14
 - E. Resolution authorizing the Mayor to execute an easement with Oklahoma Gas & Electric Company
Approved 6 in favor, 0 opposed / Resolution No. R-60-14
 - F. Resolution accepting the project as complete and authorizing final payment to Goodwin & Goodwin, Inc. for the "P" Street Wastewater Treatment Plant Effluent Pump Installation (*\$8,548.80 / Utility Department / Budgeted – 2008 Revenue Bonds*)
Approved 6 in favor, 0 opposed / Resolution No. R-61-14

- G. Resolution authorizing Amendment No. 1 to Authorization No. 1 with Morrison Shipley Engineers to design the replacement for Lift Stations 15, 16 and 17 (\$65,500.00 / Utility Department / Budgeted – 2012 Sales and Use Tax Bonds)

Approved 6 in favor, 0 opposed / Resolution No. R-62-14

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

6:47 p.m.

ORDINANCE NO. 28-14AN ORDINANCE REZONING IDENTIFIED PROPERTY
AND AMENDING THE ZONING MAP

WHEREAS, the City Planning Commission has heretofore held a public hearing upon request No. 11-5-14 to rezone certain properties hereinafter described, and, having considered said request, recommended on May 13, 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:

Graphic Packaging at Chaffee Crossing, Lot 1

more commonly known as 10300 Roberts Boulevard, should be, and is hereby rezoned from Not Zoned to Industrial Light (I-1) by Classification.

SECTION 2: That the following properties to-wit:

Part of the South Half of the Southeast Quarter of Section 5, and part of the Southwest Quarter of the Southwest Quarter of Section 4, all in Township 7 North, Range 31 West, Fort Smith, Sebastian County, Arkansas. Being more particularly described as follows:

Commencing at the Southwest Corner of said Section 5; Thence along the West Line of said Section 5, N02°38'35"E, 1568.71 feet; Thence leaving said West Line, N90°00'00"E, 1776.18 feet to the westerly line of Phoenix Metals, Lot 1, an addition to the City of Fort Smith, Sebastian County, Arkansas, being filed for record July 5, 2013 as plat 1930; Thence along said westerly line, N50°24'51"E, 393.82 feet to the northwesterly corner of said Lot 1; Thence along the northerly line of said Lot 1, S39°33'58"E, 1172.52 feet to the northeasterly corner of said Lot 1; Thence continuing S39°33'58"E, 140.00 feet to the easterly right-of-way line of Chad Colley Boulevard; Thence along said easterly right-of-way line, N50°22'23"E, 557.83 feet to the Point of Beginning; Thence S86°05'18"E, 1937.85 feet; Thence S87°18'52"E, 1284.83 feet to the westerly right-of-way line of the Relocated U.S. Highway 71; Thence along said westerly right-of-way line the following courses: S58°07'19"W, 465.45 feet; S70°41'22"W,

746.00 feet; S60°42'31"W, 361.87 feet; S39°04'12"W, 571.86 feet; S71°18'23"W, 176.68 feet; N86°53'32"W, 164.04 feet to a point on the northerly right-of-way line of Roberts Boulevard; Thence along said northerly right-of-way line the following courses: N86°53'32"W, 957.50 feet; 732.81 feet along the arc of a curve to the right, said curve having a radius of 900.18 feet and being subtended by a chord having a bearing of N63°23'28"W and a distance of 712.75 feet; N39°34'27"W, 214.10 feet to a point on the easterly right-of-way line of Chad Colley Boulevard; Thence along said easterly right-of-way line the following courses: 213.38 feet along the arc of a curve to the right, said curve having a radius of 200.00 feet and being subtended by a chord having a bearing of N09°01'10"W and a distance of 203.40 feet; 241.51 feet along the arc of a curve to the right, said curve having a radius of 480.00 feet and being subtended by a chord having a bearing of N35°57'32"E and a distance of 238.97 feet; N50°22'23"E, 663.48 feet to the Point of Beginning. Containing 75.02 acres, more or less

more commonly known as 12201 Roberts Boulevard, should be, and is hereby rezoned from Not Zoned to Industrial Light (I-1) by Classification.

SECTION 3: That the following properties to-wit:

Part of the South Half of the Northeast Quarter, part of the Northwest Quarter of the Southeast Quarter, part of the Northeast Quarter of the Southwest Quarter, and part of the Southeast Quarter of the Northwest Quarter, all in Section 8, Township 7 North, Range 31 West, Fort Smith, Sebastian County, Arkansas. Being more particularly described as follows:

Commencing at the Northeast Corner of said Section 8; Thence along the east line of said Section 8, S02°42'44"W, 1680.60 feet; Thence leaving said east line, N90°00'00"W, 1188.72 feet to the northwesterly right-of-way line of the Relocated U.S. Highway 71 and the Point of Beginning, said point being the southeast corner of Old Dominion Freight Line, Lot 1, being filed for record August 27, 2012 as plat 1894C; Thence along said right-of-way the following courses: S40°11'50"W, 1438.36 feet; S44°33'17"W, 465.18 feet to the southeasterly line of Mitsubishi Addition, Lot 1, being filed for record February 11, 2011 as plat 1830D; Thence along said southeasterly line, N49°48'10"W, 713.41 feet; Thence leaving said southeasterly line, N40°11'50"E, 1340.40 feet; Thence 62.98 feet along the arc of a curve to the left, said curve having a radius of 805.25 feet and being subtended by a chord having a bearing of N31°28'52"E and a distance of 62.96 feet; Thence S49°48'10"E, 45.53 feet to the southwest corner of said Old Dominion Freight Line, Lot 1; Thence along the south line of said Old Dominion Freight Line, Lot 1 the following courses: S49°48'10"E, 51.96 feet; S86°53'31"E, 828.39 feet to the Point of Beginning. Containing 27.72 acres, more or less

more commonly known as 8201 Flagstone Road, should be, and is hereby rezoned from Not

Zoned to Industrial Light (I-1) by Classification.

SECTION 4: That the following properties to-wit:

Part 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 the Northwest Corner of said Section 8; Thence along the North Line of said Section 8, S86°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: S30°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; S02°52'50"W, 463.00 feet; S02°17'54"W, 374.32 feet to the southwest corner of Rodebush Addition, Lot 1, being filed for record November 3, 2010 as plat 1827B and the Point of Beginning; Thence leaving said right-of-way line, and along the south line of said Lot 1, S87°42'06"E, 232.64 feet to the southeast corner of said Lot 1; Thence along the east line of said Lot 1 the following courses: N02°17'54"E, 80.62 feet; S87°07'56"E, 41.72 feet; N02°49'51"E, 86.43 feet; N87°22'20"W, 42.52 feet; N02°17'54"E, 207.61 feet to the northeast corner of said Lot 1; Thence S87°42'06"E, 33.42 feet to the southwest corner of Umarex Addition, Lot 1, being filed for record May 1, 2009 as plat 1809D; Thence along the south line of said Lot 1, S87°42'06"E, 735.17 feet to the southeast corner of said Lot 1 and the westerly right-of-way line of Chad Colley Boulevard; Thence along said westerly right-of-way line, S24°23'31"W, 926.09 feet; Thence leaving said right-of-way line, N87°13'23"W, 244.44 feet; Thence N02°57'30"E, 337.08 feet; Thence N87°12'40"W, 412.38 feet to said easterly right-of-way line of Veterans Avenue; Thence along said easterly right-of-way line, N02°17'54"E, 140.98 feet to the Point of Beginning. Containing 10.99 acres, more or less

more commonly known as 8100 Chad Colley, should be, and is hereby rezoned from Not Zoned to Industrial Light (I-1) by Extension.

SECTION 5: That the following properties to-wit:

Mitsubishi Addition, Lot 1

more commonly known as 8201 Chad Colley, should be, and is hereby rezoned from Not Zoned to Industrial Moderate (I-2) by Classification.

SECTION 6: That the following properties to-wit:

Mars Petcare at Chaffee Crossing, Lot 1

more commonly known as 10000 Roberts Boulevard, should be, and is hereby rezoned from Not Zoned to Industrial Heavy (I-3) by Classification.

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

PASSED AND APPROVED THIS 3rd DAY OF June, 2014.

ATTEST:



City Clerk

APPROVED:



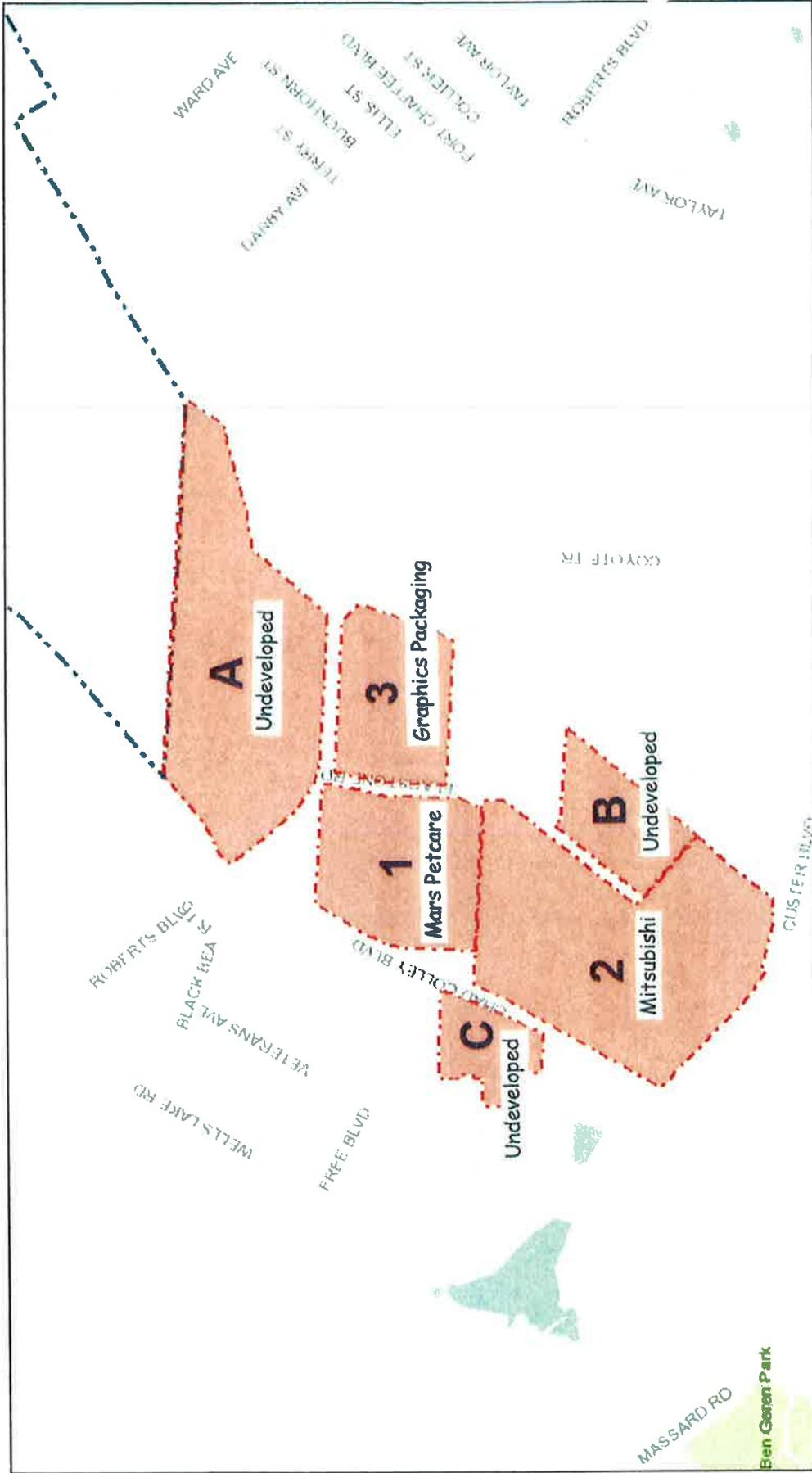
Mayor

Approved as to form:



Publish One Time

Rezoning #11-5-14



May 2, 2014

- 1. Fort Smith City Limits
- 2. 10000 Roberts Blvd.
- 3. 8201 Chad Colley Blvd.
- A. 10300 Roberts Blvd.
- B. 12201 Roberts Blvd.
- C. 8201 Flagstone Road
- 8100 Chad Colley Blvd.

- Mars Petcare
- Mitsubishi
- Graphics Packaging
- Undeveloped
- Undeveloped
- Undeveloped

- Industrial heavy (I-3)
- Industrial Moderate (I-2)
- Industrial Light (I-1)
- Industrial Light (I-1)
- Industrial Light (I-1)
- Industrial Light (I-1)

BT



ROBERTS BLVD

COYOTE TR

12201 Roberts Blvd
Industrial Light (I-1)

Graphics Packaging
10300 Roberts Blvd
Industrial Light (I-1)

I-1
58-12

FLAGSTONE RD

Mars Petcare
10000 Robert Blvd
Industrial Heavy (I-3)

8201 Flagstone Rd.
Industrial Light (I-1)

I-1
19-13

BLACK BEAR TR

CHAD COLLEY BLVD

I-1
24-13

8100 Chad Colley Blvd.
Industrial Light (I-1)

Mitsubishi
8201 Chad Colley Blvd.
Industrial Moderate (I-2)

CUSTER BLVD

RS-4
10-10

FREE BLVD

RM-4
82-12

I-1 SPL
15-14

VETERANS AVE

WELLS LAKE RD

I-1 SPL
59-11



ORDINANCE NO. 29-14

**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 May 13, 2014, that said changes be made; and,

WHEREAS, three (3) copies of the June 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;

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

SECTION 1: The June 2014 Amendments to the Unified Development Ordinance are 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.

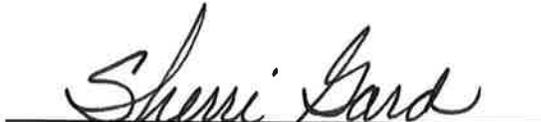
PASSED AND APPROVED THIS 3rd DAY OF June, 2014.

APPROVED:



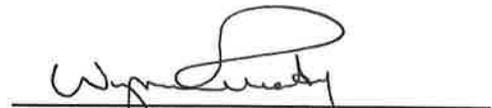
Mayor

ATTEST:



City Clerk

Approved as to form:



Publish One Time

JUNE 2014

**AMENDMENTS TO THE UNIFIED DEVELOPMENT
ORDINANCE**

section. Setbacks must be unobstructed from the ground to the sky except as specified in this section.

2. Along a private street, setback measurement shall start at a point 25 feet from the street centerline.
3. The following structures may encroach no more than three feet into the required setbacks if: (1) they are approved by the city building official, and (2) provided that they do not cross property lines or utility easements:

a. ~~patios, terraces, walks, and driveways, provided they are at grade and not covered;~~

b. porches, decks landings, and stairs, provided they are for single story buildings and are not covered;

c. play equipment;

d. clothesline poles if not located in the setbacks adjacent to street right-of-way;

e. portable yard furniture;

f. ~~fences;~~

g. overhangs, coves, and cornices as defined in the currently adopted building code may be allowed, provided they do not exceed 3 feet. The definition of overhang specifically excludes any exterior wall of any structure regardless of its elevation above ground level.

h. mechanical units;

i. area and security lighting fixtures and supports (poles);

4. Setback Averaging. Regardless of the minimum front or rear setback required by the underlying zoning district, front or rear setbacks may be adjusted to the average of the existing setbacks of the lots that are on both sides of the subject lot according to the following:

a. Only the setbacks on the lots that abut each side of the subject lot on the same side of the street as the subject lot may be used.

b. When one abutting lot is vacant or a corner lot, then the average is of the setback of the non-vacant lot and the zoning district minimum setback.

5. All residential lots on a cul-de-sac street that have frontage on the radius of the cul-de-sac are permitted to have a front yard setback of 20 feet.
6. Except as otherwise provided in individual zone districts and/or overlay districts, signs are to be exempt from setbacks and minimum requirements provided they are erected in compliance with the provisions of the Fort Smith Sign Regulations.
7. Gasoline sales are permitted under the following conditions:
 - a. Pump islands shall be located a minimum of twenty (20) feet from any public right-of-way.
 - b. Island canopy overhangs shall be located at least ten (10) feet from any public right-of-way and must have a height of at least twelve (12) feet. Supportive posts of canopies shall be located at least twenty (20) feet from any public right-of-way.
8. The following structures are exempt from setback regulations as specified below:
 - a. Patios, terraces, walks, and driveways provided they are at grade, and do not have enclosed walls or a roof;
 - b. Ramps for the purpose of meeting accessibility requirements provided they do not have enclosed walls or a roof;
 - c. Fences;

D. Height

1. Measurement. Building height is the mean vertical distance from the average ground level at the minimum front setback to the highest permanent part of the building or structure.
2. A structure may not be more than the maximum allowable feet high at the minimum side setback line, but for each addition foot of horizontal setback in excess of the minimum, the height may be increased by one foot. The height of a gabled end of a building shall be measured at the midpoint of the gable instead of the peak of the gable.
3. The following structures may be exempted from the height requirements in the various districts if they are not detrimental to neighboring property and are approved by the city building official:

D. District Standards

1. No property shall be zoned or rezoned to this classification unless the property has been (prior to the rezoning) recommended as an historic district by the Historic District Commission and established as a historic district by the Board of Directors.
2. All properties zoned RH shall be subject to the architectural design review requirements set forth in the ordinance creating such property as a historic district.
3. Parking Requirements.
 - a. The Historic District Commission shall review all parking plans to consider the surface paving material, site screening, access drives, and landscape/streetscape elements of the plan.
 - b. A parking lot shall only be allowed in the historic district to serve a permitted use that is located in the district.
4. Signs. The Historic District Commission shall review each "business sign" application to determine its architectural and aesthetic compatibility with the Historic District. The purpose of their review is to assure the preservation of the authentic historic character of the district as nearly as possible. In addition to the review by the Historic District Commission and their determination of the appropriateness of business signs, the following criteria shall govern all business signs in the district:
 - a. Permitted signs.
 1. Business signs as defined in section 27-~~356~~ 200 shall be permitted in the Historic District. A business sign shall not exceed six (6) square feet in area.
 2. Banners, as follows:
 - a. May not exceed an area of six (6) square feet in total area;
 - b. May be displayed only on the outside walls of buildings and may not obscure windows, doors or any other architectural feature;
 - c. Display time is limited as determined by the Historic District Commission;

1. A dense vegetative planting buffer incorporating approved landscaping materials of a variety that shall be equally effective in winter and summer. Approved landscaping materials shall be adequately spaced to form a solid continuous visual screen. Where shrubs are used they shall be evergreen in nature or approved deciduous material, be at least 24 inches tall at the time of planting, and be spaced closely enough together so as to create a seamless row of screening/buffering and reach the required height within twenty-four (24) months after the initial installation.
2. A solid masonry or vinyl fence or wall that is compatible with the principal structure or development. Where a masonry or vinyl fence or wall is utilized for the parking lot screening, the perimeter landscaping required by section 27-602-3 (c) must be installed on the right-of-way side of the fence but not in the right of way. Where fences or walls are used they shall be no more than 4 feet in height, as measured from the surface of the parking lot, except for those that are constructed as part of a comprehensive security fence.
3. Earth berms shall be gently rolling in nature so as to appear natural and have a maximum slope ratio of 3:1 (horizontal run to vertical rise) and a recommended slope of 4:1. Where a berm does not reach the minimum required screening height, additional screening measures shall be installed to complement the berm. Berms and approved landscaping materials shall be adequately spaced to form a solid continuous visual screen and reach the required height within twenty-four (24) months after the initial installation.

All parking lot screening shall be a minimum of three (3) feet above the finish elevation of the parking lot. All planted materials shall reach the required height within twenty-four (24) months after the initial installation. Screening shall be installed in a manner so that it does not impair the sight lines of driveways or intersections.

D. Height of Screening. The height of a screening buffer, except for parking lot screening required by section 27-602-3(D C), shall comply with the following:

1. Visual screening walls, fences, or berms and fences in combination shall be four (4) to six (6) feet high measured from the natural grade, in order to accomplish the desired screening effect.
2. Vegetation shall be four (4) to six (6) feet high measured from the natural grade, in order to accomplish the desired screening effect. The required height shall be achieved with vegetation capable of growing up to four (4) to six (6) feet in height within twelve (12) months after the initial installation.

E. Interior Landscaping For Vehicular Use Areas.

ORDINANCE NO. 30-14

AN ORDINANCE ORDERING THE OWNERS OF CERTAIN DILAPIDATED AND SUBSTANDARD STRUCTURES TO DEMOLISH SAME, AUTHORIZING THE CITY ADMINISTRATOR TO CAUSE THE DEMOLITION OF SUCH STRUCTURES TO OCCUR, AND FOR OTHER PURPOSES.

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

SECTION 1: It is hereby determined by the Board of Directors that the hereinafter described tract of real property, and the improvements located there, are dilapidated, unsafe and otherwise detrimental to the public health and constitute structural, fire and health hazards:

Street Address: **606 NORTH 12TH STREET & REAR BUILDING - NE 5' OF LOT 1 AND ALL LOT 2,**

BLOCK 90; CITY ADDITION

2308 NORTH 27TH STREET - LOT 41; BLAIRS HAPPY HOME ADDITION

SECTION 2: The owners of the tract of real property described in Section 1 are hereby ordered to remove or raze the improvements located on the said tract of property and to remedy the unsightly and unsanitary conditions otherwise located on said tract of real property within thirty (30) days from the date of this ordinance.

SECTION 3: With reference to any tract identified in Section 1 as to which compliance with the direction of Section 2 has not occurred within thirty (30) calendar days from the date of passage of this ordinance, the City Administrator is hereby authorized to execute a contract, based on the bid(s) accepted on the date of this action or at a later date, for the removal or razing of the described improvements on the tract of real property.

SECTION 4: The provisions of this ordinance are hereby declared to be severable to the extent that a decision by any court of competent jurisdiction determining that any portion of this ordinance or any application thereof is unconstitutional, invalid or otherwise illegal shall not affect the constitutionality, validity or legality of the other provisions and/or applications of the ordinance.

SECTION 5: Emergency Clause. It is hereby found and declared by the Board of Directors that the dilapidated,

unsanitary condition of the tracts of real property and improvements described herein constitute an immediate menace to the health, welfare and safety of the citizens of the City so that an emergency is hereby declared and that this ordinance shall be effective from and after the date of its passage.

This Ordinance adopted this 3rd day of June 2014.

APPROVED:

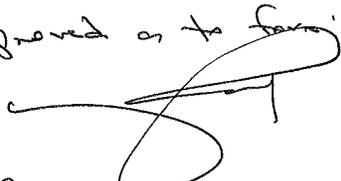


Mayor

ATTEST:



City Clerk

Approved as to form

Publish 1 time

RESOLUTION R-58-14

**A RESOLUTION TO ACCEPT THE BIDS AND
AUTHORIZE A CONTRACT FOR THE CONSTRUCTION OF
DRAINAGE IMPROVEMENTS
PROJECT NO. 13-06-B1**

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

SECTION 1: The bid of Forsgren, Inc., received May 27, 2014, for the construction of Drainage Improvements, Project No. 13-06-B1, in the amount of \$510,909.00 be accepted.

SECTION 2: The Mayor is authorized to execute a contract with Forsgren, Inc., subject to the terms set forth in Section 1 above.

SECTION 3: Payment for construction authorized by Section 1 is hereby authorized from the Sales Tax Fund (1105).

This Resolution adopted this 3rd day of June, 2014.

APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to Form



- No Publication Required
- Publish ___ Times

RESOLUTION NO. R-59-14

**A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN
THE CITY OF FORT SMITH, ARKANSAS AND
THE FORT CHAFFEE REDEVELOPMENT AUTHORITY
TO JOINTLY DESIGN, CONSTRUCT AND FUND
THE CONSTRUCTION OF PUBLIC STREETS**

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 an Agreement with the Fort Chaffee Redevelopment Authority providing for the sharing of costs for the design and construction of public streets.

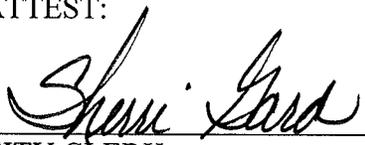
Section 2 The Agreement authorized in Section 1 above stipulates that the cost of the public streets will be shared equally by both parties as set forth in the Briefing Report dated May 29, 2014, a copy of which is attached hereto.

This Resolution adopted this 3rd day of June, 2014.

APPROVED:


MAYOR

ATTEST:


CITY CLERK

Approved as to Form


 No Publication Required
 Publish ___ Times

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

FROM: Stan Snodgrass, P.E., Director of Engineering

DATE: May 29, 2014

SUBJECT: Cost Share Agreement with the Fort Chaffee Redevelopment Authority
for the Development and Construction of Public Streets

The above referenced cost share agreement is for the design and construction of two new streets to serve the new ArcBest corporate headquarters. The ArcBest development will be located east of the McClure Amphitheater as shown on the attached Exhibit "A". The office building is currently planned to be approximately 150,000 square feet. ArcBest expects to add several hundred jobs to its Fort Smith workforce over the next several years, which is being accommodated by the construction of this new corporate facility. The total investment by ArcBest is anticipated to be approximately \$30 million.

The combined total length of the two streets is approximately 3,800 feet with an estimated total cost of \$3,800,000. The cost will be split equally between the Fort Chaffee Redevelopment Authority (FCRA) and the City. Additionally, the right of way required for the construction of the streets will be donated by the FCRA to the City at no cost to the City. This investment will support the Board of Director's goals of job creation and economic development. These streets will also encourage further economic growth and development of the area between the amphitheater and Wells Lake Road.

Attached hereto is a Resolution which authorizes the Mayor to execute the cost sharing agreement for this project. I recommend that the Resolution be adopted by the Board of Directors at the next regular meeting.

Enclosure

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
AN EASEMENT TO OKLAHOMA GAS & ELECTRIC COMPANY

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

The Mayor is hereby authorized to execute an easement to the Oklahoma Gas & Electric
Company for the installation of underground and overhead electric services in connection with
the Zero Street Pump Station Wet Weather Improvements, Project Number 09-17-E1, on
city property located at 5501 Jenny Lind Road, Fort Smith, Arkansas.

This Resolution adopted this 3rd day of June 2014.

APPROVED:

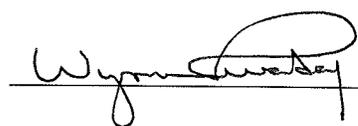

Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



npr

RESOLUTION ACCEPTING THE PROJECT AS COMPLETE AND AUTHORIZING
FINAL PAYMENT TO GOODWIN AND GOODWIN, INC., FOR THE "P" STREET
WASTEWATER TREATMENT PLANT EFFLUENT PUMP INSTALLATION

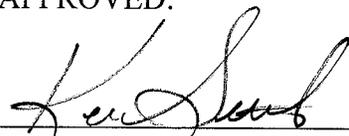
BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT
SMITH, ARKANSAS, that:

SECTION 1: The construction of "P" Street Wastewater Treatment Plant Effluent Pump
Installation, Project Number 12-17-C2, is hereby accepted as complete.

SECTION 2: Final payment to Goodwin and Goodwin, Inc., in the amount of \$8,548.80,
is hereby approved.

This Resolution adopted this 3rd day of June 2014.

APPROVED:



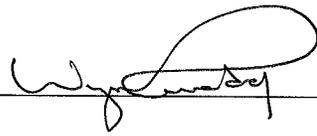
vice - Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



npr

RESOLUTION AUTHORIZING AMENDMENT NUMBER ONE TO AUTHORIZATION
NUMBER ONE WITH MORRISON SHIPLEY ENGINEERS TO DESIGN
THE REPLACEMENTS FOR LIFT STATIONS 15, 16, AND 17

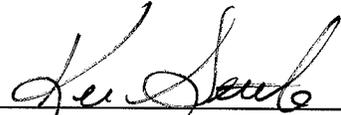
BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT
SMITH, ARKANSAS, that:

SECTION 1: Amendment Number One to Authorization Number One under the
Agreement with Morrison Shipley Engineers, Inc., for engineering services associated with the
Replacements for Lift Stations 15, 16, and 17, Project Number 12-15-ED1, is hereby approved.

SECTION 2: The Mayor is hereby authorized to execute Amendment Number One in the
amount of \$65,500.00, for engineering design services, adjusting Authorization Number One
to amount of \$155,500.00.

This Resolution adopted this 3rd day of June 2014.

APPROVED:



vice-Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



npr