

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**

**August 19, 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 Tim Sullivan, Northside United Pentecostal Church

### **ROLL CALL**

- All present, except Director Merry (*Director Merry arrived during Item No. 1*)
- Mayor Sandy 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 AUGUST 5, 2014 REGULAR MEETING**

Approved as written

### **ITEMS OF BUSINESS:**

1. Presentation: Introduction of Jennifer Humphries, Deputy Director of Finance  
*Introduction only*
2. Public hearing and ordinance closing and vacate and abandoning a portion of an alley right-of-way located in East Heights, Block 2 and Block 3, an addition to the City of Fort Smith, Arkansas (*between 3616 & 3620 Park Avenue - Andrew Malouf*)  
*Approved 7 in favor, 0 opposed / Ordinance No. 43-14*

3. Items relative to the Arkansas College of Osteopathic Medicine
  - A. Resolution authorizing submission of an application to the U.S. Department of Commerce for funding through the Economic Development Administration's (EDA) 2008 Disaster Relief Program for public infrastructure work including water, sewer and road improvements  
[Approved 7 in favor, 0 opposed / Resolution No. R-105-14](#)
  - B. Resolution approving a memorandum of understanding between The Degen Foundation and the City of Fort Smith for the Arkansas College of Osteopathic Medicine  
[Approved 7 in favor, 0 opposed / Resolution No. R-106-14](#)
  - C. Ordinance appropriating and authorizing funds for the Arkansas College of Osteopathic Medicine infrastructure projects *(\$1,505,000.00 / Utility and Engineering Departments / Not Budgeted – Water and Sewer Operating Fund and Sales Tax Program)*  
[Approved 7 in favor, 0 opposed / Ordinance No. 44-14](#)
4. Consent Agenda
  - A. Resolution setting a public hearing date on petition to vacate a portion of a street right-of-way located in Fairfax subdivision, an addition to the City of Fort Smith, Arkansas *(Portion of South 10<sup>th</sup> Street - Baldor Electric Company)*  
[Approved 7 in favor, 0 opposed / Resolution No. R-107-14](#)
  - B. Resolution setting a public hearing date on petition to vacate a portion of Veterans Avenue street right-of-way located in Chaffee Crossing, Sebastian County, Fort Smith, Arkansas *(Portion of Veterans Avenue in Chaffee Crossing – American College of Osteopathic Medicine)*  
[Approved 7 in favor, 0 opposed / Resolution No. R-108-14](#)
  - C. Ordinance to abandon sewer line easements located in City of Fort Smith, Sebastian County, Arkansas (Future Horseshoe Ridge Subdivision)  
[Approved 7 in favor, 0 opposed / Ordinance No. 45-14](#)
  - D. Resolution authorizing a time extension for the construction of Street Overlays/Reconstruction, Project No. 13-03-A *(17 days)*  
[Approved 7 in favor, 0 opposed / Resolution No. R-109-14](#)

- E. Resolution accepting completion of and authorizing final payment for the construction of Street Overlays/Reconstruction, Project No. 13-03-A (\$149,846.66 / *Engineering Department / Budgeted – Sales Tax Program*)  
Approved 7 in favor, 0 opposed / Resolution No. R-110-14
- F. Resolution authorizing the acquisition of real property interests for the Jenny Lind Road and Ingersoll Avenue Widening, Project No. 07-01-A (\$3,700.00 / *Engineering Department / Budgeted – Sales Tax Program*)  
Approved 7 in favor, 0 opposed / Resolution No. R-111-14
- G. Resolution authorizing acquisition of real property interests for Jenny Lind Road and Ingersoll Avenue Widening, Project No. 07-01-A (\$29,672.00 / *Engineering Department / Budgeted – Sales Tax Program*)  
Approved 7 in favor, 0 opposed / Resolution No. R-112-14
- H. Resolution accepting bids for the purchase of fleet trucks and vehicles (\$1,075,004.87 / *Various Departments / Budgeted – Various Accounts*)  
Approved 7 in favor, 0 opposed / Resolution No. R-113-14
- I. Resolution accepting the project as complete and authorizing final payment to Crawford Construction Company for the Candlestick (Station 19) Force Main Replacement (\$63,989.98 / *Utility Department / Budgeted – 2012 Sales Tax and Use Tax Bond Funds*)  
Approved 7 in favor, 0 opposed / Resolution No. R-114-14
- J. Ordinance declaring an exceptional situation waiving the requirements of competitive bidding and authorizing payment to Forsgren, Inc. for the emergency repair of Rogers Avenue (\$44,272.00 / *Utility Department / Not Budgeted - Water and Sewer Capital Improvement Fund*)  
Approved 7 in favor, 0 opposed / Ordinance No. 46-14
- K. Resolution accepting the project as complete and authorizing final payment to Forsgren, Inc. for the Basin 9 Collection System Improvements (\$55,912.45 / *Utility Department / Budgeted – 2012 Sales Tax and Use Tax Bond Funds*)  
Approved 7 in favor, 0 opposed / Resolution No. R-115-14
- L. Resolution authorizing the Mayor to execute a fluoridation grant agreement with Delta Dental of Arkansas Foundation for fluoridation equipment and capital start-up costs to enable fluoridation of Fort Smith's water supplies in accordance with Act 197 of 2011  
Approved 6 in favor, 0 opposed, 1 abstention (Catsavis) / Resolution No. R-116-14

- M. Resolution approving the termination of a consulting and advisory services agreement with the J. C. Watts Companies, L.L.C.  
Approved 7 in favor, 0 opposed / Resolution No. R-117-14

**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 6:29 p.m.)

- Appointments: **ANIMAL SERVICES ADVISORY BOARD**  
Ken O'Donnell  
*(to fill the unexpired term of Eric Jayne, who resigned)*  
Term expires April 15, 2017  
  
**OAK CEMETERY COMMISSION**  
Michael Richardson  
*(to fill the unexpired term of Carole Barger, who resigned)*  
Term expires November 30, 2015  
  
**OUTSIDE AGENCY REVIEW PANEL**  
Gregory Davis  
Scott McLain *(reappointment)*  
Janice Sudbrink *(reappointment)*  
Terms expire August 20, 2016  
  
**PARKS AND RECREATION COMMISSION**  
Casey Millspaugh *(reappointment)*  
Term expires August 31, 2019

**ADJOURN**  
6:41 p.m.

ORDINANCE NO. 43-14

2.

**AN ORDINANCE CLOSING AND VACATING AND ABANDONING  
A PORTION OF AN ALLEY RIGHT-OF-WAY LOCATED IN EAST HEIGHTS  
BLOCK 2 AND BLOCK 3, AN ADDITION TO THE CITY OF FORT SMITH, ARKANSAS**

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**WHEREAS**, a petition was duly filed with the Board of Directors of the City of Fort Smith, Arkansas, July 16, 2014, asking the Board of Directors to vacate and abandon an alley right-of-way located in East Heights, Block 2 and Block 3, an addition to the City of Fort Smith, Arkansas, more particularly described as follows:

A 20' wide alley located between East Heights, Block 2, Lot 5 and East Heights, Block 3, Lot 1, an addition to the City of Fort Smith, Sebastian County, Arkansas, according to the plat filed of record March 17, 1906.

**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:

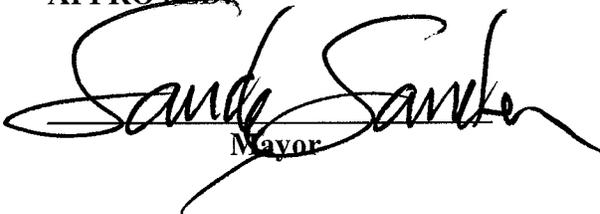
A 20' wide alley located between East Heights, Block 2, Lot 5 and East Heights, Block 3, Lot 1, an addition to the City of Fort Smith, Sebastian County, Arkansas, according to the plat filed of record March 17, 1906.

**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 19<sup>th</sup> DAY OF AUGUST 2014.**

**APPROVED:**

  
Mayor

**ATTEST:**

  
City Clerk

**Approved as to form:**

  
Publish One Time

RESOLUTION NO. R-105-14

**A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION TO THE U.S. DEPARTMENT OF COMMERCE FOR FUNDING THROUGH THE ECONOMIC DEVELOPMENT ADMINISTRATION'S (EDA) 2008 DISASTER RELIEF PROGRAM FOR PUBLIC INFRASTRUCTURE WORK INCLUDING WATER, SEWER AND ROAD IMPROVEMENTS**

WHEREAS, the City of Fort Smith desires to develop a viable community, including expanding economic opportunities and creating a suitable living environment; and

WHEREAS, the City of Fort Smith has been approached by The Degen Foundation for assistance in developing the Arkansas College of Osteopathic Medicine; and

WHEREAS, the development of this site necessitates certain public infrastructure work by the City of Fort Smith; and

WHEREAS, it is necessary and in the best interests of the City of Fort Smith to apply for funding under the Economic Development Administration's 2008 Disaster Relief Program to provide capital to be used to foster economic development activity; and

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

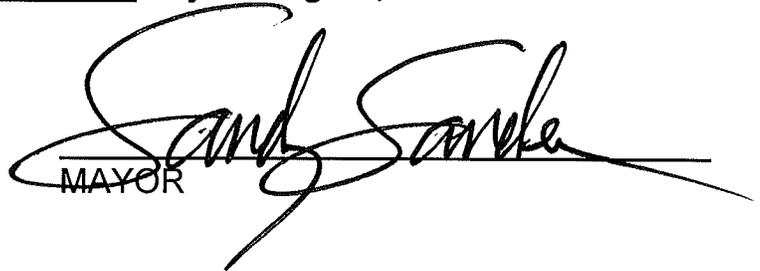
Section 1. That the Board of Directors of the City of Fort Smith authorizes the submission of an application to the U.S. Department of Commerce for funding consideration under EDA's 2008 Disaster Relief Program to carry out public water, sewer, and road construction activity;

Section 2. That the application request \$1,500,000 in EDA grant funds.

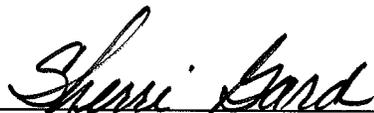
Section 3. That the City of Fort Smith will provide \$1,500,000 in public infrastructure work as the City's required matching share; and

Section 4. That the City Administrator is designated as the Chief Executive Officer and Authorized Representative to act on behalf of the City of Fort Smith in the execution of grant agreements and in all other matters in connection with the City's application and subsequent participation in EDA's Disaster Relief Program should funds be awarded to the City for water, sewer, and road construction activities.

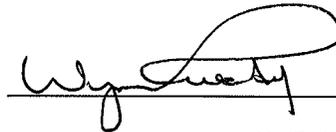
PASSED and APPROVED this 19<sup>th</sup> day of August, 2014.

  
MAYOR

ATTEST:

  
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_

No Publication Required

RESOLUTION NO. R-106-14

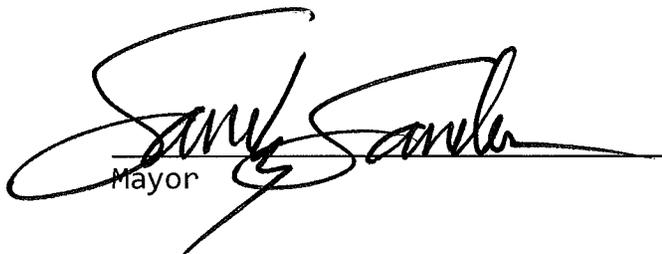
A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING  
BETWEEN THE DEGEN FOUNDATION AND THE CITY OF FORT SMITH  
FOR THE ARKANSAS COLLEGE OF OSTEOPATHIC MEDICINE

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

The Memorandum of Understanding with the Degen Foundation regarding the Arkansas College of Osteopathic Medicine attached hereto as Exhibit A is hereby approved. The City Administrator is hereby authorized to execute said Memorandum of Understanding.

This Resolution passed this 19<sup>th</sup> day of August, 2014.

  
Mayor

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
No Publication Required

ORDINANCE NO. *44-14*

AN ORDINANCE APPROPRIATING AND AUTHORIZING FUNDS FOR THE ARKANSAS COLLEGE OF OSTEOPATHIC MEDICINE INFRASTRUCTURE PROJECTS

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

SECTION 1: There is hereby authorized appropriations from the unobligated balance of the Water and Sewer Operating Fund to the Water and Sewer Capital Improvement Projects Fund in the amount of \$450,000 for water line improvements and \$330,000 for sewer improvements at the Arkansas College of Osteopathic Medicine in Fort Smith.

SECTION 2: There is hereby authorized appropriations from the unobligated balance of the Sales and Use Tax Fund for road projects for the campus, including \$375,000 reconstruction of approximately 750' of Veterans Avenue at the northern area of the campus and \$350,000 for the overlay at the south end of the campus from Veterans Avenue to Roberts Boulevard.

THIS ORDINANCE ADOPTED THIS <sup>*19th*</sup>~~18th~~ DAY OF August, 2014.

APPROVED:  
*[Signature]*  
MAYOR

ATTEST:  
*[Signature]*  
CITY CLERK

Approved as to form:

*[Signature]*  
City Attorney  
*NRR*

RESOLUTION NO. R-107-14

**RESOLUTION SETTING PUBLIC HEARING DATE ON PETITION  
TO VACATE A PORTION OF A STREET RIGHT-OF-WAY LOCATED IN  
FAIRFAX SUBDIVISION, AN ADDITION  
TO THE CITY OF FORT SMITH, ARKANSAS**

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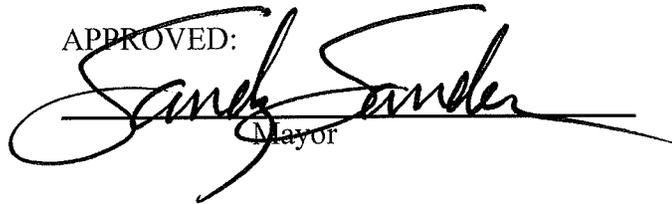
WHEREAS, a petition to vacate a portion of South 10th as shown on the plat for Fairfax Subdivision, an addition to the City of Fort Smith, Arkansas, has been filed with the Office of the City Clerk in the manner and form as provided by law.

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

Said petition is hereby set for hearing on the 2<sup>nd</sup> day of September 2014, at 6:00 p.m. at the regular meeting of the Board of Directors of the City of Fort Smith, and the city clerk is hereby directed to give notice of said meeting by publication once a week for two (2) consecutive weeks in a newspaper of general circulation in the City of Fort Smith, Arkansas.

**THIS RESOLUTION ADOPTED THIS 19<sup>th</sup> DAY OF AUGUST 2014.**

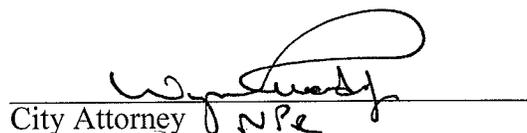
APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

Approved as to form:

  
\_\_\_\_\_  
City Attorney NPE

RESOLUTION NO. R-108-14

**RESOLUTION SETTING PUBLIC HEARING DATE ON PETITION  
TO VACATE A PORTION OF VETERANS AVENUE STREET RIGHT-OF-WAY  
LOCATED IN  
CHAFFEE CROSSING, SEBASTIAN COUNTY, FORT SMITH, ARKANSAS**

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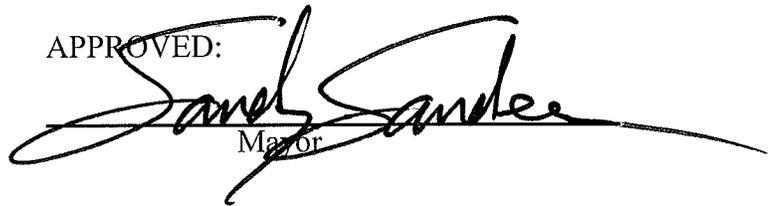
WHEREAS, a petition to vacate a portion of Veterans Avenue located in Chaffee Crossing, has been filed with the Office of the City Clerk in the manner and form as provided by law.

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

Said petition is hereby set for hearing on the 2<sup>nd</sup> day of September 2014, at 6:00 p.m. at the regular meeting of the Board of Directors of the City of Fort Smith, and the city clerk is hereby directed to give notice of said meeting by publication once a week for two (2) consecutive weeks in a newspaper of general circulation in the City of Fort Smith, Arkansas.

**THIS RESOLUTION ADOPTED THIS 19<sup>th</sup> DAY OF AUGUST 2014.**

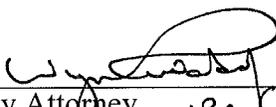
APPROVED:

  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

Approved as to form:

  
\_\_\_\_\_  
City Attorney NPR

ORDINANCE NO. 45-14

**AN ORDINANCE TO ABANDON SEWER LINE EASEMENTS  
LOCATED IN THE CITY OF FORT SMITH, SEBASTIAN COUNTY, ARKANSAS  
(FUTURE HORSEHOE RIDGE SUBDIVISION)**

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**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 sewer line easements located in the hereinafter described real property:

**15' Sewer Easement Vacation Description**

Part of the Southeast Quarter of the Southeast Quarter of Section 27, Township 8 North, Range 32 West, Fort Smith, Sebastian County, Arkansas. Said easement being 15.0 feet wide, and lying 7.5 feet on each side of the following described centerline:

Commencing at the southeast corner of Lot 26, Leigh Ridge, an Addition to the City of Fort Smith, Sebastian County, Arkansas, being filed for record November 14, 1979 as plat 314; Thence along the east line of said Lot 26, N08°08'30"E, 110.00 feet to the northeast corner of said Lot 26, said point also being the southeast corner of Lot 27A, Leigh Ridge-Lots 27A thru 39A, being a replat of Leigh Ridge, Lots 27 thru 39, being filed for record November 3, 2010 as plat 1827a; Thence continuing N08°08'30"E, 2.50 feet along the east line of said Lot 27A to the Point of Beginning; Thence leaving said east line, S88°32'00"E, 366.77 feet to the Point of Termination, crossing Lot 1 and part of Tract A of the proposed Horseshoe Ridge, Lots 1 thru 24 and Tracts A & B. Containing 0.13 acres, more or less.

**10' Sewer Easement Vacation Description**

Part of the Southeast Quarter of the Southeast Quarter of Section 27, Township 8 North, Range 32 West, Fort Smith, Sebastian County, Arkansas. Said easement being a portion of that easement as described in Book 204, Page 374 as executed August 6, 1963. Said easement being 10.0 feet wide, and lying 5.0 feet on each side of the following described centerline:

Commencing at the southeast corner of Lot 31A, Leigh Ridge- Lots 27A thru 39A, being a replat of Leigh Ridge, Lots 27 thru 39, an Addition to the City of Fort Smith, Sebastian County, Arkansas, being filed for record November 3, 2010 as plat 1827a, said point also being the southwest corner of Lot 17A, Leigh Ridge, Lots 9 thru 25, being filed for record October 21, 2003 as plat 1716a; Thence along the south line of said Lot 17A, N72°42'22"E, 39.95 feet to the Point of Beginning; Thence S17°09'13"E, 305.47 feet; Thence S04°03'14"E, 211.52 feet to a point on the north right-of-way line of Cliff Drive and the Point of Termination, crossing Lot 4 and Tract B of the proposed Horseshoe Ridge, Lots 1 thru 24 and Tracts A & B. Containing 0.12 acres, more or less.

The sewer line easements being released, vacated and abandoned are 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 19<sup>th</sup> DAY OF AUGUST 2014.

APPROVED:

  
Mayor

ATTEST:

  
City Clerk

Approved to form  
Wynne  
Publish + Title NPR

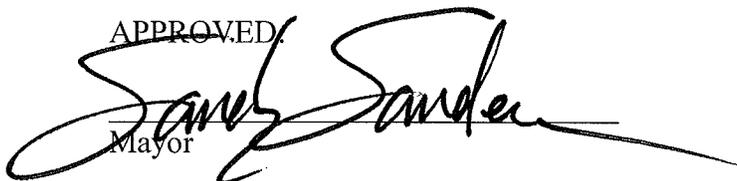
RESOLUTION R-109-14

A RESOLUTION AUTHORIZING A TIME EXTENSION  
FOR THE CONSTRUCTION OF  
STREET OVERLAYS/RECONSTRUCTION  
PROJECT NO. 13-03-A

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

SECTION 1: A time extension with TNT, Inc. for the Street Overlays/Reconstruction, Project No. 13-03-A, which increases the contract time by 17 calendar days, is hereby approved.

This resolution adopted this 19<sup>th</sup> day of August, 2014.

APPROVED  
  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

Approved as to Form

  
\_\_\_\_\_

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

RESOLUTION R-110-14

A RESOLUTION ACCEPTING COMPLETION OF AND  
AUTHORIZING FINAL PAYMENT FOR THE CONSTRUCTION OF  
STREET OVERLAYS/RECONSTRUCTION  
PROJECT NO. 13-03-A

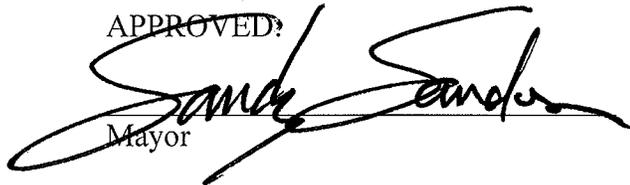
BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The City of Fort Smith hereby accepts the construction of Street Overlays/Reconstruction, Project No. 13-03-A, as complete.

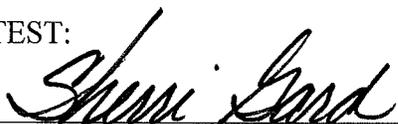
SECTION 2: Final payment is hereby authorized in the amount of \$149,846.66 to the contractor, TNT, Inc. for the Street Overlays/Reconstruction, Project No. 13-03-A.

This resolution adopted this 19<sup>th</sup> day of August, 2014.

APPROVED:

  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

Approved as to Form

  
\_\_\_\_\_

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

RESOLUTION R-111-14

**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, or his designated agents, and the City Attorney are hereby authorized to acquire, by eminent domain, if necessary, for the indicated appraised amounts, the following described tracts required for the Jenny Lind Road & Ingersoll Avenue Widening project:

<u>TRACT</u>	<u>OWNER</u>	<u>APPRAISED VALUE</u>
51	Pic-N-Tote Self Serve Stores, Inc.	\$ 3,700.00

This resolution adopted this 19<sup>th</sup> day of August, 2014.

APPROVED:  
  
Mayor

ATTEST:  
  
\_\_\_\_\_  
City Clerk

Approved as to Form

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

RESOLUTION NO. R-112-14

RESOLUTION AUTHORIZING ACQUISITION OF REAL PROPERTY INTERESTS FOR JENNY LIND ROAD AND INGERSOLL AVENUE WIDENING PROJECT NO. 07-01-A

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

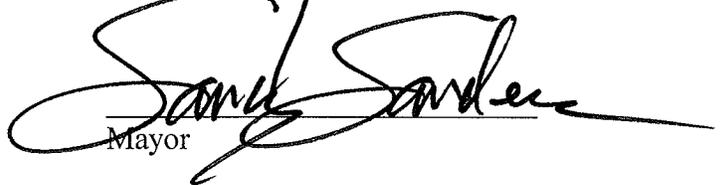
SECTION 1: By Resolution No. R-89-14, the Board of Directors authorized acquiring the necessary rights-of-way on Regions Bank's property for the appraised value of \$14,800.00.

SECTION 2: The appraisal of Regions Bank's property did not include compensation for relocation of lighting and other facilities located within the utility easement to be acquired from Regions Bank. The offer made by Regions Bank to relocate the facilities on Tract 31E-1 of the captioned project for a consideration of \$14,872.00 is hereby accepted.

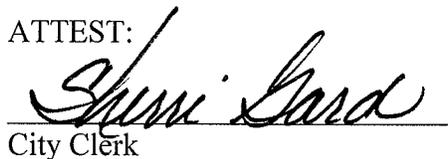
SECTION 3: The City Administrator and the City attorney are hereby authorized to acquire Tract 31 from Regions Bank for a total consideration of \$29,672.00, said transaction to be concluded as a typical Arkansas real estate transaction.

THIS RESOLUTION ADOPTED THIS 19<sup>th</sup> DAY OF August, 2014.

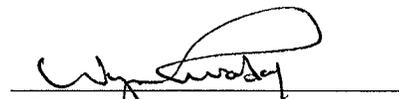
APPROVED:

  
Mayor

ATTEST:

  
City Clerk

Approved as to form:

  
City Attorney  
No Publication Required

RESOLUTION NO. R-113-14

RESOLUTION ACCEPTING BIDS FOR THE PURCHASE OF  
FLEET TRUCKS AND VEHICLES

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

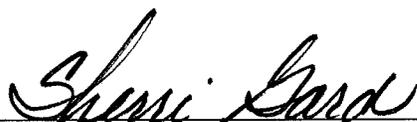
The bids, as indicated by enclosure on the attached Bid Tabulation  
07-18-14BA for the purchase of various trucks and vehicles for the City's fleet, are  
accepted.

This Resolution adopted this 19<sup>th</sup> day of August, 2014.

APPROVED:

  
MAYOR

ATTEST:

  
CITY CLERK

Approved as to form:

  
No Publication Required

**Inter office Memorandum**

TO: Ray Gosack, City Administrator

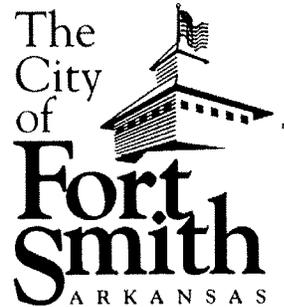
FROM: Alie Bahsoon, Purchasing Manager *AB*

SUBJECT: 2014 Fleet Bid Tabulation

DATE: August 13, 2014

BID TAB: 07-18-14BA

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Bids were solicited for the purchase and replacement of numerous trucks and vehicles for various departments within the City.

You will find attached the bid tabulation and the recommendations for bid award for each respective department. I am also providing a recap of the fleet being replaced. Unless otherwise noted, most will be sold at the annual city auction due to age, high mileage, and/or maintenance issues:

- Bid 1: Customer Service-replace 2006 Ford F150 (Asset 951); new truck is CNG equipped
- Bid 1: Engineering-replace 2003 Ford F150 (Asset 150)
- Bid 1: Industrial Waster Monitoring-replace 2004 F150 (Asset 513)
- Bid 1A: Water Stationary Equip. Maint.-replace 2002 Silverado LS1500 (Asset 422)
- Bid 2: Transit-replace 1998 Crown Victoria (Asset 834); new vehicle is a hybrid
- Bid 4: CDBG-replace 2002 Chevrolet Impala (Asset 149); new vehicle is a hybrid
- Bid 4: Building Safety-replace 2011 Chevrolet Impala (Asset 126); new vehicle is a hybrid
- Bid 6: Street Drainage-replace 2000 GMC dump truck (Asset 407)
- Bid 7: Street Maintenance-replace 2002 Ford F350 (asset 471)
- Bid 7: Sidewalk Construction-replace 1999 GMC Sierra 3500 (Asset 465)
- Bid 8: Wastewater Equip. Maint.-replace 2006 Ford F250 (Asset 947)
- Bid 9: Water Line Maint.-replace 2001 Ford F750 (Asset 158)
- Bid 9: Sewer Line Maint.-replace 2000 International 4700 (Asset 459)
- Bid 9: Sewer Line Construction-replace 2000 GMC Topkick (Asset 779)
- Bid 10: Sewer Line Maint.-replace 2001 Chevrolet Silverado 3500 (Asset 488)
- Bid 10: Sewer Line Construction-replace 2001 Chevrolet Silverado 3500 (Asset 487)
- Bid 12: Metering/Transmission Line Maint.-replace 2006 Ford F350 (Asset 953)
- Bid 13: Metering/Transmission Line Maint.-replace 2001 Dodge 2500 (Asset 482)
- Bid 14: Water Line Maint.- replace three 2006 GMC Sierra 3500 (Asset 955/956/957)
- Bid 15: Water Stationary Equip. Maint.-this is an addition to the fleet
- Bid 16: Metering/Transmission Line Maint.-replace 2005 Chevrolet Trailblazer (Asset 40)
- Bid 16: Metering/Transmission Line Maint.-replace 2005 Ford Explorer (Asset 750)
- Bid 17: Residential Collection-replace 2009 Hybrid Ford Escape (Asset 33) currently being used by the Purchasing and Finance Departments
- Bid 18: Sanitation Administration-replace 2006 Ford Explorer (Asset 941) which will be

# 4H

transferred to the Planning & Zoning Division; Tahoe needed for power to pull box trailer for trade shows and for ample cargo hauling and passenger capacity; I underestimated the 2014 budget which was not reflective of an 8 cylinder SUV which is what the department needs in order to meet its needs

- Bid 18: Engineering-replace 2001 Jeep Cherokee (Asset 118)

Funds for these purchases are available and have been appropriated for in the 2014 Budget.

I am recommending that the Board accept and approve the bids as noted by enclosure on the attached bid tabulation.

Please let me know if you should have any questions.

## Interoffice Memorandum

**TO:** Ray Gosack, City Administrator  
**FROM:** Greg Riley, Director of Street/Traffic Control  
**SUBJECT:** Dump Truck with Snow Plow Purchase  
**DATE:** August 15, 2014



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One of our ongoing service objectives is improve the efficiency of the snow removal program by equipping trucks with snow plows. We currently have two older trucks that have been outfitted with plows and carry older spreader equipment and two older trucks with spreader equipment. This was our deployment to the streets in the past years snowfall which has been an improvement over previous years. This year we have taken delivery of two new fully outfitted plow trucks with plows and spreaders that will be a huge improvement over the existing trucks. They have larger plows and more sand carrying capacity and will allow for pre-wetted application of sand/salt for quicker activation. These trucks were part of the 2013 budget and are now ready to go.

The ultimate goal is to have four of these trucks and the third was part of the 2014 budget and bids have been received for this truck. The fourth truck will be presented as part of the 2015 budget. These trucks are also used for the day to day work that we do but are adaptable and designed to handle the snow events.

This truck will be used in street drainage and replaces a 2000 model dump truck. Three bids were received and Carco International's bid of \$126,487.24 was the low bid. Funds are available in the Street Department sinking fund for this purchase.

## Interoffice Memorandum

**TO:** Ray Gosack, City Administrator  
**FROM:** Greg Riley, Director of Street/Traffic Control  
**SUBJECT:** One Ton Truck Purchase  
**DATE:** August 15, 2014



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The 2014 budget include the purchase of two one ton flat-bed dump trucks. One for street maintenance 5304 and one for sidewalks 5305. These are replacing older trucks. A 1999 and a 2002 model.

Four bids were received and Dunn Ford's bid of \$38,797.32 was the low bid. Funds are available in the Street Department sinking fund for this purchase.

**CITY OF FORT SMITH  
2014 FLEET BID TABULATION NO. 07-18-14BA**

BID	Breeden Dodge Ft. Smith, AR	Dunn Ford Stigler, OK	Randall Ford Ft. Smith, AR	Smith Chevrolet Fort Smith, AR	Lewis Ford Sales Fayetteville, AR	Sallisaw Ford Sallisaw, OK	Shipley Motor Fort Smith, AR	Carco Intl. Ft. Smith, AR	Truck Centers of AR Van Buren, AR
1	Yr: 2014 Make: RAM Model: 1500 Cost: \$28,767 ✓ Del. 14-21 days  Customer Service Budgeted: \$29,000 With CNG	Yr: 2014 Make: Ford Model: F150 Cost: \$19,425.68 ✓ Del. 45-60 days  Utilities (5610) Budgeted: \$25,000  Engineering Budgeted: \$21,800	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
1A	Yr: 2014 Make: RAM Model: 1500 Cost: \$23,186 Del. 14-21 days	Yr: 2014 Make: Ford Model: F150 Cost: \$22,185.68 ✓ Del. 45-60 days  Utilities (5616) Budgeted: \$22,400	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
2	No Bid	Yr: 2015 Make: Ford Model: Fusion S Cost: \$23,875.34 Del. 45-60 days	Yr: 2015 Make: Ford Model: Fusion SE Cost: \$24,392 Del. 60 days	No Bid	No Bid	Yr: 2015 Make: Ford Model: Fusion S Cost: \$23,725 ✓ Del. 60-120 days Hybrid  Transit Budgeted: \$24,700	No Bid	No Bid	No Bid

**CITY OF FORT SMITH  
2014 FLEET BID TABULATION NO. 07-18-14BA**

BID	Breeden Dodge Ft. Smith, AR	Dunn Ford Stigler, OK	Randall Ford Ft. Smith, AR	Smith Chevrolet Fort Smith, AR	Lewis Ford Sales Fayetteville, AR	Sallisaw Ford Sallisaw, OK	Shipley Motor Fort Smith, AR	Carco Intl. Ft. Smith, AR	Truck Centers of AR Van Buren, AR
4	No Bid-Hybrid	Yr: 2015 Make: Ford Model: Fusion S Cost: \$23,875.34 Del. 45-60 days	Yr: 2015 Make: Ford Model: Fusion S Cost: \$24,392 Del. 60 days	No Bid-Hybrid	No Bid	Yr: 2015 Make: Ford Model: Fusion S Cost: \$23,725 ✓ Del. 60-120 days Hybrid CDBG Budgeted: \$28,900 Bidg. Safety Budgeted: \$28,500	No Bid	No Bid	No Bid
6	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	Yr: 2015 Make: Mack Model: GU432 Dump: Henderson Plow: Henderson Cost: \$128,253.60 Del. 150 days	Yr: 2015 Make: Intl. Model: 7400SFA Dump: Henderson Plow: Henderson Cost: \$126,487.24 ✓ Del. 180 days Street Drainage Budgeted: \$110,000	Yr: 2015 Make: Freightliner Model: 108SD Dump: Henderson Plow: Henderson Cost: \$130,364 Del. 120-150 days
7	Yr: 2015 Make: RAM Model: 3500 Body: Cadet Cost: \$46,160 Del. 175-200 days	Yr: 2015 Make: Ford Model: F350 Body: Cadet Cost: \$38,797.32 ✓ Del. 45-60 days Street (5303/5304) Budgeted: \$40,000 cu	Yr: 2015 Make: Ford Model: F350 Body: Cadet Cost: \$39,900 Del. 60-75 days	No Bid	No Bid	No Bid	No Bid	Yr: 2015 Make: Intl. Model: Terrastar Body: Cadet Cost: \$56,862.95 Del. 150 days	No Bid





**CITY OF FORT SMITH  
2014 FLEET BID TABULATION NO. 07-18-14BA**

BID	Breedon Dodge Ft. Smith, AR	Dunn Ford Stigler, OK	Randall Ford Ft. Smith, AR	Smith Chevrolet Fort Smith, AR	Lewis Ford Sales Fayetteville, AR	Sallisaw Ford Sallisaw, OK	Shipley Motor Fort Smith, AR	Carco Intl. Ft. Smith, AR	Truck Centers of AR Van Buren, AR
15	Yr: 2015 Make: RAM Model: 2500 Body: Stahl Cost: \$43,785 Del. 60-75 days	Yr: 2015 Make: Ford Model: F250 Body: Knapheide Cost: \$35,515.82 ✓ Del. 45-60 days  Utilities 5616 Budgeted: \$40,000	Yr: 2015 Make: Ford Model: F250 Body: Stahl Cost: \$35,749 Del. 60 days	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
16	No Bid	No Bid	Yr: 2015 Make: Ford Model: Transit CT Cost: \$23,853 ✓ Del. 60 days  Utilities 5613 Budgeted: \$21,500 ea	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
17	Yr: 2014 Make: RAM Model: 1500ST Cost: \$27,568 ✓ Del. 5 days  Sanitation 6302 Budgeted: \$27,500	Yr: 2014 Make: Ford Model: F150 Cost: \$27,572.68 Del. 45-60 days	No Bid	Yr: 2015 Make: Chevrolet Model: Silverado 1500 Cost: \$30,316 Del. 90 days	No Bid	No Bid	No Bid	No Bid	No Bid
18	Yr: 2014 Make: RAM SXT Model: Durango Cost: \$31,862 Del. 10 days	Yr: 2015 Make: Ford Model: Explorer Cost: \$27,981.01 ✓ Del. 45-60 days  Engineering Budgeted: \$28,900	Yr: 2015 Make: Ford Model: Explorer XLT Cost: \$30,564 Del. 45-60 days	Yr: 2015 Make: Chevrolet Model: Tahoe Cost: \$35,927 ✓ Del. 90 days  Sanitation Budgeted: \$28,900	No Bid	No Bid	No Bid	No Bid	No Bid

**CITY OF FORT SMITH  
2014 FLEET BID TABULATION NO. 07-18-14BA**

- Bid 1 1/2 Ton, Regular Cab, 4x2 Wheel Drive, V6 P/U Truck Bi-Fuel (CNG/Gasoline) Qty. 1 (Customer Service)
- Bid 1 1/2 Ton, Regular Cab, 4x2 Wheel Drive, V6 P/U Truck Qty. 2 (Engineering & Water Line Maintenance)
- Bid 1A 1/2 Ton, Regular Cab, 4 Wheel Drive, V6 P/U Truck Qty. 1 (Water Stationary Equipment Maintenance)
- Bid 2 4-Door Hybrid, Mid-Size Sedan per the latest edition of the EPA Fuel Economy Guide Qty. 1 (Public Transit)
- Bid 4 4-Door Hybrid, Full-Size Sedan per the latest edition of EPA Fuel Economy Guide Qty. 2 (Community Development and Building Safety)
- Bid 6 Single Axle Cab & Chassis with 5 CY Dump Bed & Henderson Snow Plow Qty. 1 (Street Drainage)
- Bid 7 One (1) Ton 4x2 Single Cab Truck, Long Chassis, Dual Rear Wheels, Flat Dump Bed Qty. 2 (Street Maintenance/Sidewalk Construction)
- Bid 8 Three-Quarter (3/4) Ton Heavy Duty, 4x4 Pickup Truck, Long Bed Qty. 1 (Wastewater Equipment Maintenance)
- Bid 9 2 Ton Single Axle Cab and Chassis Dump Truck Qty. 3 (Water Line Maintenance/Sewer Line Maintenance/Sewer Line Construction)
- Bid 10 1 Ton Heavy Duty Cab and Chassis with Utility Service Body Qty. 2 (Sewer Line Maintenance/ Sewer Line Construction)
- Bid 12 1 Ton Heavy Duty Cab and Chassis, 4x4, with Covered Utility Body Qty. 1 (Metering/Transmission Line Maintenance)
- Bid 13 3/4 Ton Cab and Chassis, 4x4 with Utility Service Body Qty. 1 (Water and Wastewater Line Maintenance Administration)
- Bid 14 1 Ton Heavy Duty Cab and Chassis with Covered Utility Body Qty. 3 (Water Line Maintenance)
- Bid 15 3/4 Ton Cab and Chassis with Utility Service Body Qty. 1 (Water Stationary Equipment Maintenance)
- Bid 16 Gasoline/Electric Special Purpose 4 Door, LWB Passenger Wagon as defined in the US EPA Guide Qty. 2 ( Metering/Transmission Line Maintenance)
- Bid 17 Standard Size 4x4 One-Half (1/2) Ton, Crew Cab, V8 PU Truck Qty. 1 (Residential Collections)
- Bid 18 Full-Size 4WD 7 or 8 passenger V8 Sports Utility Vehicle (SUV) as classified in the latest EPA Fuel Economy Guide Qty. 2 (Engineering and Sanitation)

✓ Recommended bid award

RESOLUTION ACCEPTING THE PROJECT AS COMPLETE AND AUTHORIZING  
FINAL PAYMENT TO CRAWFORD CONSTRUCTION COMPANY FOR THE  
CANDLESTICK (STATION 19) FORCE MAIN REPLACEMENT

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

SECTION 1: The construction of Candlestick (Station 19) Force Main Replacement,  
Project Number 11-07-C1, is hereby accepted as complete.

SECTION 2: Final payment to Crawford Construction Company in the amount of  
\$63,989.98, is hereby approved.

This Resolution adopted this 19<sup>th</sup> day of August 2014.

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
npr

ORDINANCE DECLARING AN EXCEPTIONAL SITUATION WAIVING THE REQUIREMENTS OF COMPETITIVE BIDDING AND AUTHORIZING PAYMENT TO FORSGREN, INC., FOR THE EMERGENCY REPAIR OF ROGERS AVENUE

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

WHEREAS, the City was required to make an emergency repair to the water main located underneath the pavement of Rogers Avenue and required immediate repair to prevent the possibility of health hazards to the residents of the City of Fort Smith; and,

WHEREAS, it is necessary to contract for the emergency repair of the Rogers Avenue pavement damaged due to the water main break:

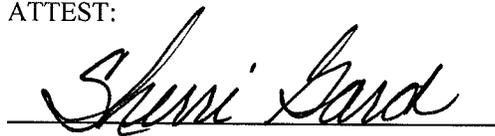
NOW THEREFORE, in order to eliminate the possibility of health hazards to the residents of the City of Fort Smith and to make necessary water main and street repair, an exceptional situation exists requiring the waiving of competitive bidding, and competitive bidding requirements for the water main and street repair are hereby waived. An appropriation of funds from the Water and Sewer Capital Improvements Fund in the amount of \$44,272.00 is hereby made. Payment for said emergency repair of Rogers Avenue and water main is hereby authorized, and payment to the contractor, Forsgren, Inc., in the amount of \$44,272.00 is hereby approved.

PASSED AND APPROVED this 19<sup>th</sup> day of August 2014.

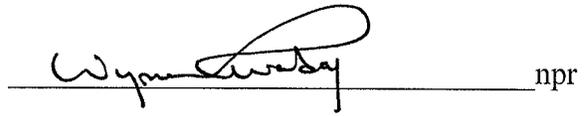
APPROVED:

  
Mayor

ATTEST:

  
\_\_\_\_\_

APPROVED AS TO FORM:

  
\_\_\_\_\_ npr

RESOLUTION ACCEPTING THE PROJECT AS COMPLETE AND  
AUTHORIZING FINAL PAYMENT TO FORSGREN, INC., FOR  
THE BASIN 9 COLLECTION SYSTEM IMPROVEMENTS

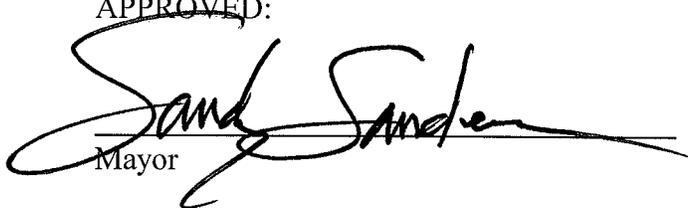
BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT  
SMITH, ARKANSAS, that:

SECTION 1: The construction of the Basin 9 Collection System Improvements, Project  
Number 12-08-C1, is accepted as complete.

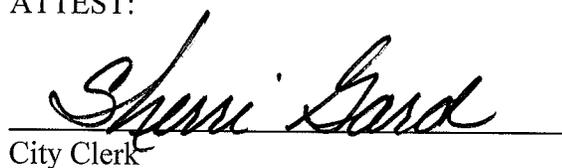
SECTION 2: Final payment to Forsgren, Inc., in the amount of \$55,912.45, is hereby  
approved.

This Resolution adopted this 19<sup>th</sup> day of August 2014.

APPROVED:

  
Mayor

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
npr

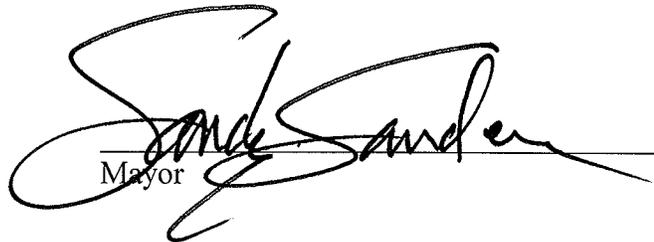
RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A  
FLUORIDATION GRANT AGREEMENT WITH DELTA DENTAL  
OF ARKANSAS FOUNDATION FOR FLUORIDATION EQUIPMENT  
AND CAPITAL START UP COSTS TO ENABLE FLUORIDATION OF  
FORT SMITH'S WATER SUPPLIES IN ACCORDANCE WITH ACT 197 OF 2011

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

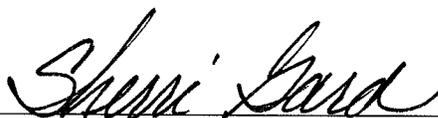
The Mayor is hereby authorized to execute a Fluoride Grant Agreement with Delta Dental  
of Arkansas Foundation to provide fluoridation equipment and capital start up costs in  
accordance with Act 197 of 2011 for the addition of fluoride to the Fort Smith water supply.

This Resolution adopted this 19<sup>th</sup> day of August 2014.

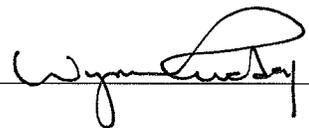
APPROVED:

  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
npr

RESOLUTION NO. R-117-14

A RESOLUTION APPROVING THE TERMINATION OF A  
CONSULTING AND ADVISORY SERVICES AGREEMENT WITH  
THE J.C. WATTS COMPANIES, L.L.C.

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

Termination of the consulting and advisory services agreement  
with The J.C. Watts Companies, L.L.C. approved by Resolution No.  
R-189-07 is hereby approved. The City Administrator is directed  
to give notice of said termination as provided in the agreement.

This Resolution passed this 19<sup>th</sup> day of August, 2014.

  
Mayor

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
No Publication Required