

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

September 2, 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

City of Fort Smith Fire Chief Mike Richards

ROLL CALL

- All present
- 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 19, 2014 REGULAR MEETING

Unanimously approved as written

ITEMS OF BUSINESS:

1. Presentation: Recognize Scott Barr family, 2014 Air National Guard Military Family of the Year
Presentation only
2. Public hearing and ordinance to close and vacate a portion of public right-of-way located in Fairfax, an addition to the City of Fort Smith, Arkansas (*Portion of South 10th Street - Baldor Electric Company*)
Approved 7 in favor, 0 opposed / Ordinance No. 47-14

3. Public hearing and ordinance to close and vacate a portion of public right-of-way located in Chaffee Crossing, City of Fort Smith, Arkansas (*Portion of Veterans Avenue – The Degen Foundation*)
Approved 7 in favor, 0 opposed / Ordinance No. 48-14
4. 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 General Commercial / Rezoning: from Residential Estate One (RE-1) to Commercial Heavy (C-5) by extension located at 9900 Highway 71 South*)
Approved 7 in favor, 0 opposed / Ordinance No. 49-14
5. Ordinance amending the 2009 Unified Development Ordinance of the City of Fort Smith (*September 2014 Amendments*)
Approved 7 in favor, 0 opposed / Ordinance No. 50-14
6. Ordinance adopting the 2012 Edition of the National Fire Protection Association Life Safety Code and other provisions relating thereto
Approved 7 in favor, 0 opposed / Ordinance No. 51-14
7. Resolution adopting Board Best Practices ~ *Lau/Lorenz placed on agenda at the August 26, 2014 study session ~*
Approved 4 in favor (Lau, Good, Lorenz & Settle), 3 opposed (Catsavis, Weber & Merry) / Resolution No. R-118-14
8. Items regarding Whirlpool Corporation
 - A. Resolution approving and authorizing execution of cooperation and reimbursement agreement
Approved 7 in favor, 0 opposed / Resolution No. R-119-14
 - B. Resolution accepting donation of right-of-way for Jenny Lind Road & Ingersoll Avenue Widening, Project No. 07-01-A
Approved 7 in favor, 0 opposed / Resolution No. R-120-14
9. Items regarding property interests in connection with the replacement of Sewer Lift Station No. 17
 - A. Resolution authorizing acquisition of real property interests in connection with the replacement of Sewer Lift Station No. 17 (*\$2,500.00 / Utility Department / Budgeted – 2012 Sales Tax and Use Tax Bonds*)
Approved 5 in favor, 1 opposed (Merry), 1 abstention (Weber) / Resolution No. R-121-14

- B. Resolution authorizing the City Administrator to accept an offer made by a property owner for the acquisition of real property interests for the replacement of Sewer Lift Station No. 17 (\$146,000.00 / Utility Department / Budgeted – 2012 Sales Tax and Use Tax Bonds)
No action taken due to adoption of Item No. 9A

10. Consent Agenda

- A. Resolution authorizing the Mayor to execute an agreement and Authorization No. 1 for engineering services with Burns and McDonnell for the design of fluoridation feed systems at the Lee Creek and Lake Fort Smith Water Treatment Plants (\$180,000.00 / Utility Department / Not Budgeted – Capital Improvement Fund)
Approved 6 in favor, 1 opposed (Catsavis) / Resolution No. R-122-14
- B. Ordinance declaring an exceptional situation and waiving the requirements for competitive bidding for the lease purchase of radio communication equipment and authorizing the Mayor and City Administrator to negotiate and execute all necessary lease documents regarding said agreement (\$255,558.70 / Transit Department / Budgeted – General Fund & Federal Transit Administration (FTA) 80% grant reimbursement)
Approved 7 in favor, 0 opposed / Ordinance No. 52-14
- C. Resolution authorizing the Mayor to execute Authorization No. 2 to the agreement with CDM Smith, Inc. for providing engineering services with the Massard Wastewater Treatment Plant Odor Control Improvements (\$68,550.00 / Utility Department / Budgeted – 2012 Sales Tax and Use Tax Bonds)
Approved 7 in favor, 0 opposed / Resolution No. R-123-14
- D. Resolution accepting the project as complete and authorizing final payment to Forsgren, Inc. for the Ben Geren Aquatics Center Water and Sewer Extensions (\$51,344.27 / Utility Department / Budgeted - 2012 Sales Tax and Use Tax Bonds)
Approved 7 in favor, 0 opposed / Resolution No. R-124-14
- E. Resolution accepting bid for the purchase of self-contained breathing apparatus (SCBA) (\$696,945.00 / Fire Department / Budgeted – Assistance to Firefighters Grant)
Approved 7 in favor, 0 opposed / Resolution No. R-125-14
- F. Resolution accepting bids for the purchase of water and wastewater chemicals for 2014-2015 (Annual bid / Various Departments)
Approved 7 in favor, 0 opposed / Resolution No. R-126-14

- G. Resolution allowing the sale of surplus vehicles and equipment at public auction

Approved 7 in favor, 0 opposed / Resolution No. R-127-14

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

6:59 p.m.

ORDINANCE NO. 47-14

2.

**AN ORDINANCE ENTITLED, AN ORDINANCE TO CLOSE AND VACATE
A PORTION OF PUBLIC RIGHT-OF-WAY LOCATED IN
FAIRFAX, AN ADDITION TO THE CITY OF FORT SMITH, ARKANSAS**

WHEREAS, a petition was duly filed with the Board of Directors of the City of Fort Smith, Arkansas, on the 6th day of August 2014, asking the Board of Directors to vacate and abandon certain street right-of-way located in Fairfax, an addition to the City of Fort Smith, Arkansas, more particularly described as follow:

Part of South 10th Street right of way of Fairfax Subdivision, Fort Smith, Sebastian County, Arkansas being more particularly described as follows:

Beginning at an existing iron pin marking the Northeast Corner of Lot 14 of Fairfax Subdivision, said point being on the West right of way line of South 10th Street. Thence leaving said right of way line, South 86 degrees 59 minutes 53 seconds East, 49.75 feet to a set rebar with cap marking the Northwest Corner of Lot 67 of Fairfax Subdivision, said point being on the East right of way line of South 10th Street. Thence along the West line of Lots 67 and 68 of Fairfax Subdivision and said right of way line, South 03 degrees 03 minutes 52 seconds West, 90.00 feet to an existing iron pin marking the Southwest Corner of Lot 68 of Fairfax Subdivision. Thence leaving said right of way line, North 86 degrees 59 minutes 48 seconds West, 50.14 feet to a set rebar with cap on the East line of Lot 14 of Fairfax Subdivision, same being the West right of way line of South 10th Street. Thence along the East line of said Lot 14 and said right of way line, North 03 degrees 18 minutes 49 seconds East, 90.00 feet to the Point of Beginning, containing 0.10 of an acre or 4,495.33 square feet and subject to any Easements of Record.

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 street right-of-way as described above

*Approved as to form
Jerry Campbell
Public Health Officer*

has heretofore been dedicated to the public use as street right-of-way and at this time is no longer required for the corporate purposes, and that said portion of the street 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 street right-of-way be closed; and that the public interest and welfare will not be adversely affected by the abandonment of the said street right-of-way.

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 street right-of-way designated as follows:

Part of South 10th Street right of way of Fairfax Subdivision, Fort Smith, Sebastian County, Arkansas being more particularly described as follows:

Beginning at an existing iron pin marking the Northeast Corner of Lot 14 of Fairfax Subdivision, said point being on the West right of way line of South 10th Street. Thence leaving said right of way line, South 86 degrees 59 minutes 53 seconds East, 49.75 feet to a set rebar with cap marking the Northwest Corner of Lot 67 of Fairfax Subdivision, said point being on the East right of way line of South 10th Street. Thence along the West line of Lots 67 and 68 of Fairfax Subdivision and said right of way line, South 03 degrees 03 minutes 52 seconds West, 90.00 feet to an existing iron pin marking the Southwest Corner of Lot 68 of Fairfax Subdivision. Thence leaving said right of way line, North 86 degrees 59 minutes 48 seconds West, 50.14 feet to a set rebar with cap on the East line of Lot 14 of Fairfax Subdivision, same being the West right of way line of South 10th Street. Thence along the East line of said Lot 14 and said right of way line, North 03 degrees 18 minutes 49 seconds East, 90.00 feet to the Point of Beginning, containing 0.10 of an acre or 4,495.33 square feet and subject to any Easements of Record.

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.

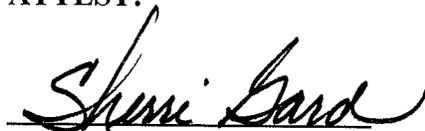
SECTION 3: This Ordinance shall take effect and be in effect from and after its passage.

PASSED AND APPROVED THIS 2nd DAY OF SEPTEMBER 2014.

APPROVED:


Mayor

ATTEST:


City Clerk

ORDINANCE NO. 48-14

3.

**AN ORDINANCE ENTITLED, AN ORDINANCE TO CLOSE AND VACATE
A PORTION OF PUBLIC RIGHT-OF-WAY LOCATED IN
CHAFFEE CROSSING, CITY OF FORT SMITH, ARKANSAS**

WHEREAS, a petition was duly filed with the Board of Directors of the City of Fort Smith, Arkansas, on the 6th day of August 2014, asking the Board of Directors to vacate and abandon certain street right-of-way located in Chaffee Crossing within the City of Fort Smith, Arkansas, more particularly described as follow:

Part of Government Lot 1 of the Northeast Quarter of Section 5, Township 7 North, Range 31 West, Fort Smith, Sebastian County, Arkansas. Being a portion of the 60.0 foot wide Veterans Avenue right-of-way as dedicated by City of Fort Smith Ordinance 69-12 and lying 30.0 feet on each side of the following described centerline:

Commencing at the Southwest Corner of said Section 5, said corner being marked with an existing ½” rebar with cap stamped PLS 1272; 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, said corner being marked with an existing concrete nail; Thence along the northerly line of said Lot 1, S39°33’58”E, 307.02 feet to an existing ½” rebar with cap stamped MWC 1369; Thence leaving said northerly line, N50°25’50”E, 1218.11 feet to an existing ½” rebar with cap stamped MWC 1369; Thence S39°33’09”E, 43.13 feet to an existing ½” rebar; Thence N50°23’58”E, 308.08 feet to an existing ½” rebar with cap stamped MWC 1369; Thence N39°32’37”W, 380.42 feet to the Point of Beginning; Thence N50°24’51”E, 1143.35 feet to the Point of Termination. Containing 1.58 acres, more or less.

*Approved as to form
Jerry Confield
Public Notary*

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 street right-of-way as described above has heretofore been dedicated to the public use as street right-of-way and at this time is no longer required for the corporate purposes, and that said portion of the street 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 street right-of-way be closed; and that the public interest and welfare will not be adversely affected by the abandonment of the said street right-of-way.

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 street right-of-way designated as follows:

Part of Government Lot 1 of the Northeast Quarter of Section 5, Township 7 North, Range 31 West, Fort Smith, Sebastian County, Arkansas. Being a portion of the 60.0 foot wide Veterans Avenue right-of-way as dedicated by City of Fort Smith Ordinance 69-12 and lying 30.0 feet on each side of the following described centerline:

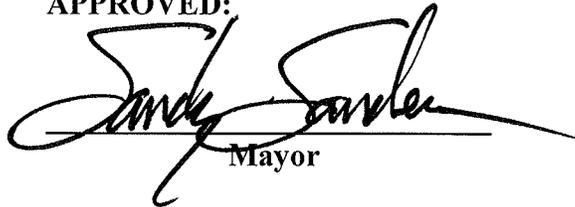
Commencing at the Southwest Corner of said Section 5, said corner being marked with an existing ½" rebar with cap stamped PLS 1272; Thence along the West Line of said Section 5, N02°38'35"E, 1568.71 feet; Thence leaving said West Line, N90°00'00"E, 1776.18 feet to the westerly line of Phoenix Metals, 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, said corner being marked with

an existing concrete nail; Thence along the northerly line of said Lot 1, S39°33'58"E, 307.02 feet to an existing ½" rebar with cap stamped MWC 1369; Thence leaving said northerly line, N50°25'50"E, 1218.11 feet to an existing ½" rebar with cap stamped MWC 1369; Thence S39°33'09"E, 43.13 feet to an existing ½" rebar; Thence N50°23'58"E, 308.08 feet to an existing ½" rebar with cap stamped MWC 1369; Thence N39°32'37"W, 380.42 feet to the Point of Beginning; Thence N50°24'51"E, 1143.35 feet to the Point of Termination. Containing 1.58 acres, more or less.

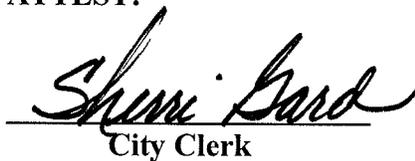
SECTION 2: A copy of this Ordinance duly certified by the City Clerk shall be filed in the Office of the County for the Fort Smith District of Sebastian County, Arkansas, and recorded in the deed records of said county.

PASSED AND APPROVED THIS 2nd DAY OF SEPTEMBER 2014.

APPROVED:


Mayor

ATTEST:


City Clerk

ORDINANCE NO. 49-14**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 August 12, 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. 18-8-14 to rezone certain properties hereinafter described, and, having considered said request, recommended on August 12, 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 General Commercial and the Master Land Use Plan Map is hereby amended to reflect said amendment to-wit:

Lot 5 Didier Place and Part of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 14, Township 7 North, Range 32 West, Sebastian County, Arkansas, more particularly described as follows:

Beginning at an existing iron pin on the Westerly right of way line of U.S. Highway 71 being the Southeast corner of said Lot 5; thence S $61^{\circ}48'42''$ W, 392.80 feet along the South line of said Lot 5 and said line extended to an existing iron pin; thence N $27^{\circ}59'01''$ W, 200.00 feet to an existing iron pin; thence N $61^{\circ}48'42''$ E, 217.80 feet to an

existing iron pin on the West line of Didier Place; thence S 27°59'01"E, 100.00 feet to an existing iron pin being the Northwest corner of said Lot 5; thence N 61°48'42"E, 175.00 feet along the Northerly line of said Lot 5 to an existing iron pin on the Westerly right of way line of U. S. Highway 71; thence S 27°59'01"E, 100.00 feet along said right of way line to the point of beginning, containing 1.40 acres, more or less, being subject to public road rights of way and any easements of record.

more commonly known as 9900 Highway 71 South.

SECTION 2: The real property described in Section 1 is hereby rezoned from Residential Estate One (RE-1) to Commercial Heavy (C-5) by Extension, subject to Planning Commission approval of a development plan prior to the issuance of a building permit.

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

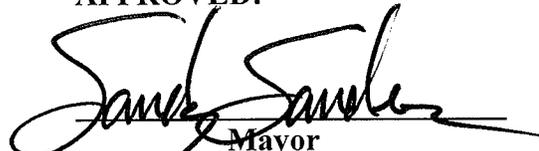
PASSED AND APPROVED THIS 2nd DAY OF September, 2014.

ATTEST:



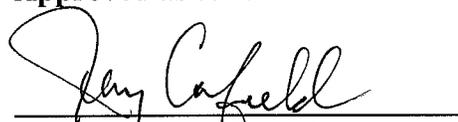
City Clerk

APPROVED:



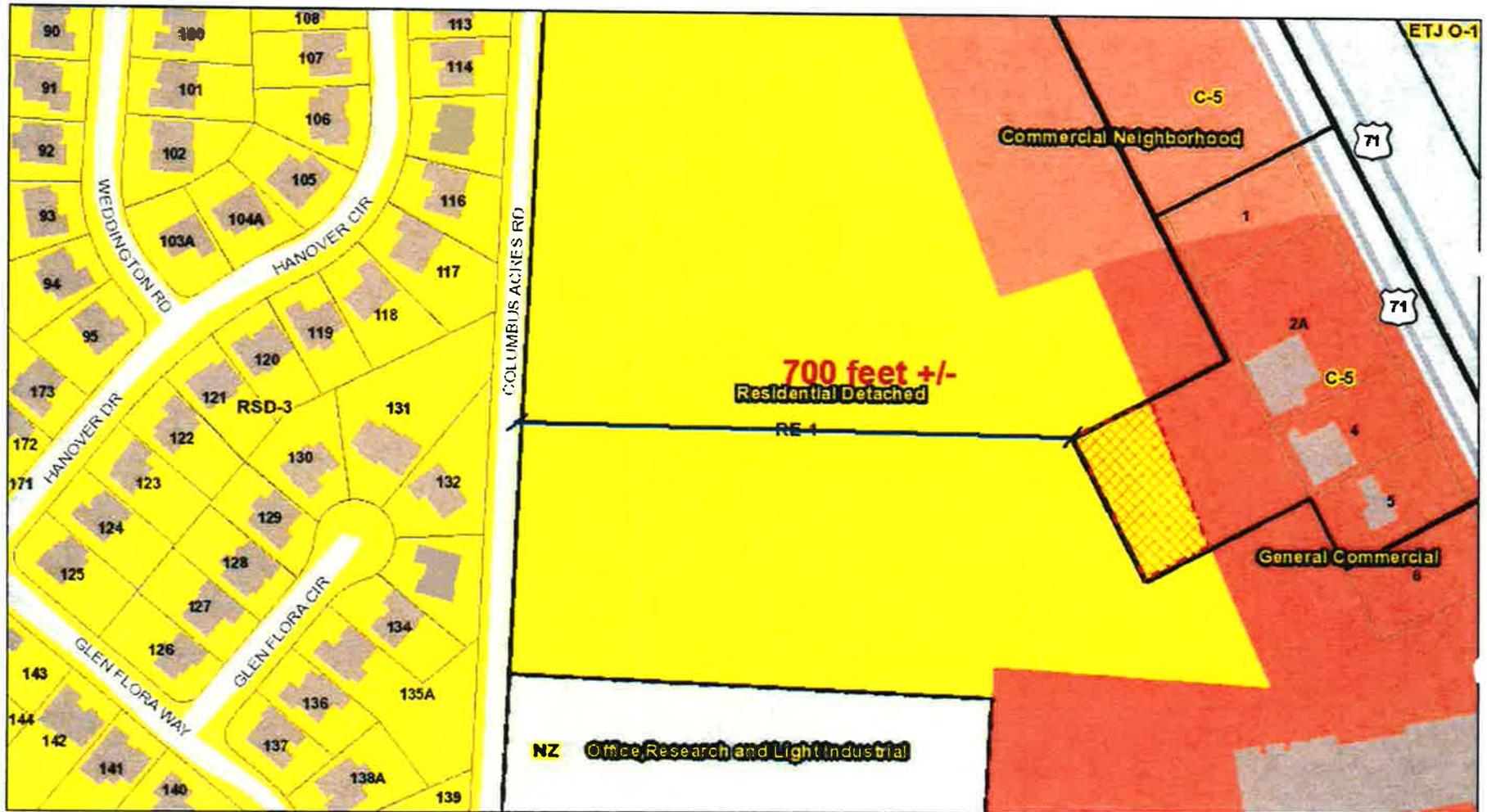
Mayor

Approved as to form:



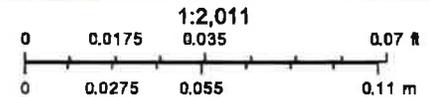
Publish One Time

Master Land Use Plan Amendment: From Residential Detached to General Commercial 9900 US Highway 71



August 7, 2014

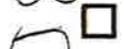
-  Fort Smith City Limits
 -  Zoning
 -  Subdivisions
 -  Building Footprints
- Handwritten initials 'RG' are present to the left of the legend.*

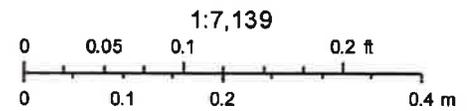


Master Land Use Plan Amendment: From Residential Detached to General Commercial 9900 Hwy 71 S



July 21, 2014

-  Fort Smith City Limits
-  Zoning
-  Subdivisions



ORDINANCE NO. 50-14

**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 August 12, 2014, that said changes be made; and,

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

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

SECTION 1: The September 2014 Amendments to the Unified Development Ordinance is hereby adopted.

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

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

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

PASSED AND APPROVED THIS 2nd DAY OF September, 2014.

APPROVED:



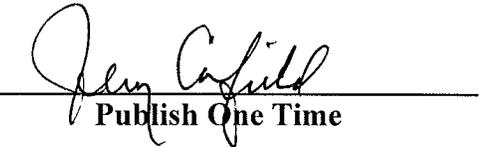
Mayor

ATTEST:



City Clerk

Approved as to form:



Publish One Time

SEPTEMBER 2014
AMENDMENTS TO THE UNIFIED DEVELOPMENT
ORDINANCE

1. Vehicle servicing and equipment assembly as part of a sales operation shall be conducted within an enclosed building unless adequate visual screening from the public and adjoining properties
2. All areas unoccupied by buildings, parking lots or used as traffic ways shall be maintained in a safe and orderly condition.
3. No display of merchandise shall be permitted on public sidewalks or rights-of-way.
4. Special sales merchandise may be temporarily displayed outdoor, but not to exceed a period for more than 14 days or no more than two occasions per year (total of 28 days per year) provided:
 - a. The display shall be limited to the private walk in front of the store.
 - b. No required parking area shall be used as a display or sales area.
5. There shall be no open display in the first twenty (20) feet of the required front yard setback.

27-427 COMMERCIAL DOWNTOWN (C-6)

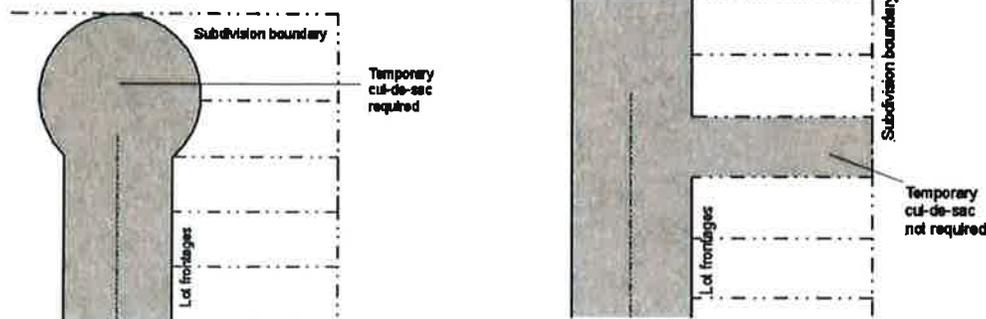
- A. Purpose** To provide for the orderly development of the original downtown area of Fort Smith and the areas immediately adjacent to it. The Commercial Downtown (C-6) Zoning District establishes guidelines and controls that allow for retail and residential development which is compatible with existing and expanding governmental, financial, professional, cultural, historic, and entertainment facilities. Commercial, governmental, and professional uses that serve the metropolitan area are allowed in this zone.
- B. Land Uses.** Permitted, Conditional and Accessory land uses in the C-6 District are identified on the Land Use Matrix, Chapter 27-400, Appendix A. Specific land uses not identified on the list are subject to classification pursuant to Section 27-336.

C. Area and Bulk Regulations

Max. Lot Size/Max. Bldg (s.f.)	Min. Lot Width	Max Lot Coverage	Minimum Street Frontage	Max Height
n/a	n/a	100%	n/a	n/a
Setbacks (feet)				
Front Setback	Side Setback	Street Side	Rear Setback	

6B

3. Dead-end streets shall be designed according to Fort Smith Street Standards.



27-503-11 Landscaping

A. Applicability

The Residential subdivisions shall include perimeter frontage landscaping and subdivision entry landscaping as provided below. Replats of existing residential lots and residential subdivisions with no more than five (5) lots are exempt from perimeter frontage landscaping and subdivision entry landscaping. This requirement does not include residential for multifamily development.

B. Perimeter Frontage Landscaping

Perimeter frontage landscaping shall comply with the following:

1. Perimeter landscaping shall be located along the entire perimeter of the subdivision that fronts the right-of-way of a public street. The perimeter landscaping shall be located on the subdivision property. The landscaping shall be parallel and adjacent to the public right-of-way line.
2. The perimeter landscaping area shall have a minimum width of ten (10) feet.
3. At a minimum, the perimeter landscaping planting strip shall be planted with one (1) tree and ten (10) shrubs for every fifty (50) linear feet of right-of-way frontage.

C. Subdivision Entry Landscaping

1. Applicability. Proposed developments subject to this requirement shall provide subdivision entry landscaping. Subdivision entry landscaping must conform to the standards in subsection (b), below.
2. Standards

5. Parking lots should be divided into blocks of 40-50 spaces. Where blocks are not easily defined, groups of 20 spaces should be divided by a landscaped median island at least the size of one stall.
6. Accessible parking must be provided according to the City of Fort Smith requirements
7. Parking lots should include appropriately marked locations with racks for bicycle parking.
8. Dead-end parking (parking without a clear turn-around area) should be avoided and shall not be permitted on any non-infill or redevelopment projects.
9. Structured parking (e.g., parking decks or ramps) shall conform to the following:
 - a. Structured parking adjacent to a street shall provide an active front with pedestrian-oriented uses.
 - b. Structured parking shall integrate with adjacent buildings by using similar materials, alignments, and architectural finishes.

F. Phased Development. If a development is to be built in phases, each phase shall include an appropriate share of the proposed streets and circulation system, landscaping and outdoor spaces, screening, and other site and architectural amenities of the entire project. The extent of these improvements shall be determined for each phase of a specific project during the time of project development approval, but may not be based solely upon a proportional or equal share of the entire site. Requirements for a phased project may include off-site improvements

27-602-3 Landscaping and Screening

A. Applicability.

1. The Landscaping and Screening requirements of the Design Guidelines apply to all new multifamily, non-residential development in residential zones, transitional, commercial, and industrial development within the City of Fort Smith. In areas where the Downtown or Belle Grove design standards apply, those standards will control over these in the case of conflict.
2. The Design Guidelines apply to existing multifamily, transitional, commercial, and industrial development within the City of Fort Smith when rehabilitation (renovation, restoration, modification, addition, or retrofit) is proposed to the exterior of a structure or site will: (1) increase the gross square footage of the structure by 50% or greater and (2) shall also

include any cumulative building additions from the effective date of this ordinance that over a five year period amount to a 50% or greater increase in square footage.

3. Rehabilitation projects shall conform to the guidelines to the greatest extent possible.
4. ~~Industrial subdivisions are required to provide perimeter landscaping only.~~
Industrial, storage and distribution buildings when constructed along major arterial or boulevard streets as classified by the master street plan, or adjacent to residential zoning districts or single family development, and/or those buildings at the perimeter of an industrial subdivision shall provide perimeter landscaping only.
5. Parking lots used solely for the display of vehicles at an approved auto and vehicle dealer are required to provide perimeter landscaping only.
6. Development or properties in compliance with these regulations shall not be renovated, remodeled, altered, or repaired so that the site will be in noncompliance with these regulations.

B. Perimeter Landscaping Perimeter landscaping requirements along public rights-of-way are as follows:

1. A ten-foot wide landscaped area is required and shall be located on the property parallel and adjacent to the public street right-of-way line.
2. The minimum requirement for a planting strip will be one (1) tree and ten (10) shrubs for every fifty (50) linear feet of right-of-way frontage.
3. To insure that landscape materials do not constitute a sight hazard, a clear sight visibility triangle shall be observed at all street intersections or intersections of driveways with streets. Within the designated sight visibility triangle, no landscape material exceeding twenty-four (24) inches in height shall be permitted; provided, trees may be permitted as long as only the tree trunk is visible between the ground and eight (8) feet above the ground and the tree does not otherwise present a traffic visibility hazard. The dimensions of the sight visibility triangle are as indicated in the attached diagram for driveways for street intersections.

C. Parking Lot Screening.

Parking lot screening shall be placed in the ten-foot landscaped area reserved for the perimeter landscaping. The parking lot screening can satisfy the perimeter landscaping requirements, when the parking lot screening is installed in compliance

Street Classification

Major Arterial/Boulevard

Freeway

Grand

I-540

Rogers

I-49

Zero

Phoenix Avenue

Wheeler

North 6th

North 10th & 11th

Riverfront

Waldron (Rogers to Grand)

North 50th

South 74th (Phoenix to Dallas)

Massard Road (from Dallas South)

Rye Hill Road East (from Hwy. 71 to Massard)

Custer

Roberts Boulevard

North 23rd (Kelley Highway to Spradling Avenue)

Kelley Highway

Garrison Avenue (Dodson to Rogers)

Taylor Avenue

Highway 71

Highway 271

Towson

Highway 253

Chad Colley

Highway 45

Old Greenwood Road

6H

2. The Design Guidelines apply to existing multifamily, commercial and industrial development within the City of Fort Smith when rehabilitation (renovation, restoration, modification, addition, or retrofit) is proposed to the exterior of a structure or site will: (1) increase the gross square footage of the structure by 50% or greater and (2) shall also include any cumulative building additions from the effective date of this ordinance that over a five year period amount to a 50% or greater increase in square footage.
3. Rehabilitation projects shall conform to the guidelines to the greatest extent possible.
4. Buildings in compliance with these regulations shall not be renovated, remodeled, altered, or repaired so that the building will be in noncompliance with these regulations.

C. Transitional and Commercial Building Design Standards.

1. Any development that contains more than one building shall incorporate a recurring, unifying and identifiable theme for the entire development.
2. The predominant (fifty-one (51) percent of the gross wall area or greater) exterior building facade of all commercial buildings must be of high quality materials such as brick, wood, native stone, tinted glass, stucco, exterior insulated finished systems (EIFS), cementitious siding (e.g., Hardie Board), tinted/textured concrete masonry units, or other siding materials as approved by the Director. Smooth-faced concrete block, plain or untextured tilt-up panels and prefabricated steel panels are prohibited as the predominant facade. Applicants with commercial development adjacent to residential development may incorporate residential materials on the side of the development that faces the residential development.
3. All facades of a building that are visible from the finished grades of adjoining properties or public streets shall have design characteristics similar to the building's front facade. This shall be implemented by requiring the same treatment as discussed in **B C.2** above.
4. All mechanical equipment, heating/cooling systems, trash receptacles and utility boxes shall be completely screened from adjoining properties and street right-of-way.
 - a. For ground-mounted equipment, the screening shall consist of a wall, fence, or approved landscaping or the equipment must be enclosed within a building.

b. Signs required for public health and safety or identification may be displayed on security fencing if placed in conformity with section 27-704-5.

(5) Subdivisions, developments signs: ~~One~~ **Two** (~~1~~ **2**) signs per entrance, **Signage** shall not ~~to~~ exceed twenty-four (24) square feet in area per sign.
(Ord. No. 3391, as amended, § 10-10(B), 11-1-76; Ord. No. 64-99, § 2, 10-5-99)

27-704-2 Permitted business signs in transitional zones

The following types of signs are permitted and the following regulations shall apply to all signs in transitional zones:

- (1) Flat, single-faced signs may be mounted directly on the facade of a structure, provided that the total sign area does not exceed five (5) percent of the building facade area (building elevation area) as measured from the adjacent street right-of-way.
- (2) Pedestal or monument type signs are permitted and shall conform to the following regulations:
 - a. Such signs, if illuminated, shall be illuminated with indirect lighting only;
 - b. The maximum size of a pedestal or monument sign for a lot or parcel fronting on any local street, identified from time to time by the City of Fort Smith Master Street Plan, shall not exceed twelve (12) square feet;
 - c. The maximum size of a pedestal or monument sign for a lot or parcel fronting on any collector street and arterial street, identified from time to time by the City of Fort Smith Master Street Plan, shall be based upon the length of lot or parcel frontage as outlined as follows:

TABLE INSET:

Frontage Length	Maximum Signage Area
0--99 ft.	18 sq. ft.
100--199 ft.	24 sq. ft.
200 ft. or greater	32 sq. ft.

d. If directional sign(s) are utilized within a development on a lot or parcel, the size of the directional signage shall be considered as part of the maximum sign area for the lot or parcel which contains the directional sign(s) and shall

65

Appendix A

Districts	RE3	RE1	RS-1	RS-2	RS-3	RS-4	RS-5	RSD-2	RSD-3	RSD-4	RM-2	RM-3	RM-4	RMD	H	RH	T	C-1	C-2	C-3	C-4	C-5	C-6	I-1,2	I-3	I-4	
P = Permitted Use, C = Conditional Use, A = Accessory Use			R-1	R-2	R-3	R-4	R-6	DP-2	DP-3	DP-4	MF-2	MF-3	MF-4	R-5	H	RH	T1,2,3										
Boat or marine craft dealer																											
Car wash - full service																											
Car wash self-service																											
Gasoline service station																											
Motorcycle or ATV sales & service																											
Tire sales																											
Truck stop/travel plaza																											
Heavy Consumer Goods Sales or Service																											
Agricultural equipment and supplies (sales & service)																											
Appliance repair - (Large)																											
Appliance repair (Small)																											
Bus, truck sales and service																											
Clothing and personal items (repair)																											
Commercial, industrial machinery & equipment (sales & service)																											
Department store, warehouse club or superstore																											
Computer and software shop																											
Electronics and appliances (new)																											
Electronics and appliances (used)																											
Floor, paint, wall coverings, window treatments																											
Furniture or home furnishings (new)																											
Furniture or home furnishings (used)																											
Furniture repair and upholstery shop																											
Greenhouse (sales)																											
Hardware store																											
Hardware store (neighborhood)																											
Home improvement center																											
Lawn and garden supplies																											
Locksmith																											
Lumber yard and building materials																											
Mall or shopping center																											
Manufactured home and mobile home sales and service																											
Oil and gas equipment (sales and service)																											
Sand, gravel, stone, or earth sales and storage																											
Swimming pool sales and supply store (w/o storage yard)																											
Truck or tractor sales and service facility																											
Durable Consumer Goods Sales or Service																											
Bait and tackle shop																											
Bicycle sales and service																											
Bicycle sales and service (no outside storage)																											
Bookstore																											
Bridal shop																											
Cameras, photographic supplies and services																											

BR

Fort Smith
2

Use Matrix

6

ORDINANCE NO. 57-14

AN ORDINANCE ADOPTING THE 2012 EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION LIFE SAFETY CODE AND OTHER PROVISIONS RELATING THERETO

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

SECTION 1: Section 10-1 of the Fort Smith Municipal Code is amended to read as follows:

There is hereby adopted for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion that certain code known as the 2012 Life Safety Code of the National Fire Protection Association, and the whole thereof, of which not less than three (3) copies have been and are now filed in the office of the city clerk; and the same hereby adopted and incorporated as fully as if set out at length herein and the provisions thereof shall be controlling in the limits of the city.

SECTION 2: Section 10-2(a) of the Fort Smith Municipal Code is amended to read as follows:

- (a) The building official is hereby designated as the “authority having jurisdiction” for the 2012 Life Safety Code of the National Fire Protection Association. Whenever the building official shall disapprove an application or refuse to grant a license or permit applied for, or when it is claimed that the provisions of the code do not apply, or that the true intent and meaning of the code has been misconstrued or wrongly interpreted, the applicant making such contention may appeal from the decision of the building official to the fire code board of appeals within thirty (30) calendar days from the date of the decision of the building official.

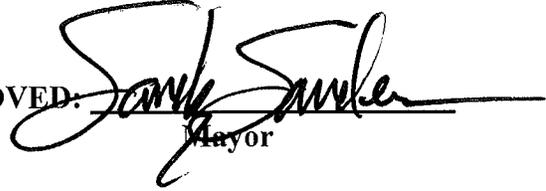
SECTION 3: EFFECTIVE DATE

This ordinance shall be effective commencing November 1, 2014.

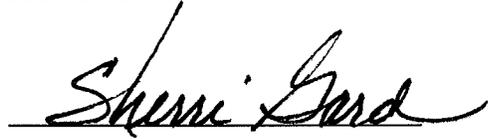
Ordinance No. 51-14

PASSED AND APPROVED THIS 2nd DAY OF September 2014.

APPROVED:

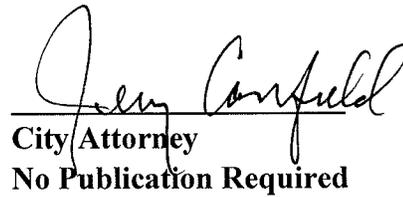

Mayor

ATTEST:



City Clerk

Approved as to form:


City Attorney
No Publication Required

RESOLUTION NO. R-118-14

A RESOLUTION ADOPTING BOARD BEST PRACTICES

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

The Board Best Practices attached hereto as Exhibit A is hereby adopted. The board shall review the document annually, and more frequently if needed.

This Resolution passed this 2nd day of September, 2014.



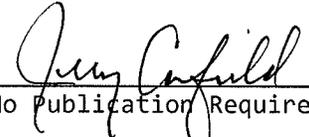
Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



No Publication Required

CITY OF FORT SMITH BOARD BEST PRACTICES



Adopted by Resolution No. R-118-14

September 2, 2014

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INTRODUCTION

The responsibilities of modern government depend upon having procedures which help a community function effectively in the current atmosphere of complex laws, rules and regulations. This board best practices document is intended to refine and expand those initial rules of self-government. Creation of the document was identified by the City Board as a priority during a strategic planning retreat in summer 2013.

The board best practices document is a valuable resource for Fort Smith, the City's citizens, the City Board and City administration as all continue to work together for responsive, effective, and efficient local government. The members of the City Board and City administration should be familiar with the contents of this document and keep it close at hand.

Section 1: USE OF THIS DOCUMENT

This board best practices document is designed to provide guidance for the Board and City Administration. It is not to be considered as restrictions or expansions of Board authority. This document is not intended to be an amendment or substitute for state laws, city ordinances, case law, or other authority. Because this document is designed to assist the Board and not to provide substantive rules affecting constituents, it is expressly stated that this document does not constitute land use regulations, official controls, "appearance of fairness rules", public hearing rules or other substantive rules binding upon or to be used by or relied upon by members of the public.

Section 2: STATEMENT OF VALUES

It is hereby the practice of the City to establish the values stated in this Section 2 as core values of City governance. City leaders listen to the community in a way that fully represents the community's interests and goals. Board and staff should make the maximum effort to collaborate, seeking consensus as far as possible. Board members should individually, and collectively, demonstrate the ability to lead and reason together. City leaders exhibit respect for the professionalism and ethical conduct of the City Administrator and staff; and the City Administrator and staff exhibit the same respect and professionalism for the Mayor and City Board. Leaders strive to achieve sustainable outcomes in City policies and administration, with sustainable bottom lines for the community, environment, and for City finances and the local economy. Holding public office is synonymous with public trust. A public officer's relationship with the public is that of a fiduciary. The public expects the utmost of integrity, honesty, and fairness in their dealings with public officials.

Section 3: RESPONSIBILITIES OF MAYOR, VICE MAYOR, AND BOARD MEMBERS

The roles and responsibilities of the Mayor, Vice Mayor, and Board members are as follows. These are in addition to those enumerated throughout the Fort Smith Municipal Code and [Arkansas statutes 14-48-101](#) et. seq. In the event of a conflict, the state statutes and municipal code shall govern.

3.1 Mayor

- Acts as the official head of the city for all ceremonial purposes.
- Selects substitute for City representation when Mayor can't attend.

- Issues proclamations.
- Supervise the preparation of Board meeting agendas by the City Clerk.
- Chairs Board meetings.
- Maintains order, decorum, and the fair and equitable treatment of all speakers at board meetings.
- Keeps discussion and questions focused on the specific agenda item under consideration.
- Recognizes citizens who wish to comment at public meetings.
- Signs documents on behalf of the City.
- Has no vote at board meetings, but may veto actions passed by the board (except personnel items).
- Recognized by the Governor for purposes of military law.

3.2 **Vice Mayor**

The Vice Mayor is elected by the Board at the first regular Board meeting in January of odd-numbered years following the seating of board members elected in the preceding November General Election. The Vice Mayor serves a 2-year term, and may serve multiple terms without limitation. In the event of a vacancy, the board shall elect a new Vice Mayor to serve the remainder of the unexpired term. The Vice Mayor may be removed by a majority vote of the Board members.

- Performs the duties of Mayor if the Mayor is absent or otherwise unable to perform his/her duties.
- If presiding at a Board meeting, the Vice Mayor retains his/her right to vote on matters before the Board.
- Represents the City at ceremonial functions at the request of the Mayor.

3.3 **Board Members' Responsibilities**

All members of the Board of Directors have equal votes. No Board member has more power than any other Board member, and all should be treated with equal respect. Board members should:

- Fully participate in City Board meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others.
- Prepare in advance of Board meetings and be familiar with topics on the agenda.
- Represent the City at ceremonial functions at the request of the Mayor.
- Be respectful of other people's time. Stay focused and act efficiently during public meetings.
- Serve as a model of leadership and civility to the community.
- Inspire public confidence in Fort Smith government.
- Keep the community informed on municipal affairs.
- Encourage communications between citizens and the Board.
- Ensure the diverse interests of the community are represented.
- Be mindful of limited resources and avoid requests for unnecessary information in recognition of the limitations of staff time and resources.

Section 4: CODE OF ETHICS

Board members should be mindful of the need for neutrality and impartiality, rendering equal service to all and to extend the same treatment each would want to receive himself/herself. They should abstain from deliberations and voting when and only when a conflict of interest exists in accordance with the [City's business ethics policy, section II](#). Board members should make decisions based on the merits of the issue with attention to due process and citizen participation. They should be knowledgeable and develop an understanding of local, state and national governmental guidance, directives, regulations and ordinances pertaining to a Board member's office. Members of the board should maintain the utmost standards of personal integrity, truthfulness, honesty and fairness in carrying out public duties; avoid improprieties in roles as public servants including the appearance of impropriety; and never use city position or powers for improper personal gain. Board members should maintain and respect the confidentiality of private and confidential information. Avoid personal gain by the misuse of confidential information. Members of the board shouldn't condone any unethical or illegal activity.

Section 5: CODE OF CONDUCT

Practice civility and decorum in discussions and debate. Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. However, participants shouldn't make belligerent, personal, derogatory, impertinent, slanderous, threatening, abusive or disparaging comments. Shouting or physical actions that could be construed as threatening won't be tolerated.

Section 6: BOARD DECISION-MAKING PROCESS

6.1 Board Meetings Will Be Efficient and Businesslike

The information exchange, review, deliberation and vetting of issues during prior study sessions enables Board business meetings to be expeditious for the benefit of those who have business pending before the Board. The presiding officer's role, especially at the regular meetings, is to keep the Board business focused and expeditious. Board members, staff, and citizens should discuss only the topic before the Board so as not to become distracted by irrelevant discussion.

6.2 Maintain a Policy Focus

The Board's major policy focus will be on the intended long-term impacts outside the operating organization, not on the administrative or programmatic means of attaining those effects. Ends policies should define what is to be accomplished in terms of benefits, recipients, and their relative priorities. The Board should emphasize strategic rather than short-term issues, policy rather than single events, and group rather than individual decisions. Members should make decisions and recommendations based upon research and facts involving staff and stakeholders which considers the goals, impacts and the best interest of the greatest number of those affected.

6.3 Staff Reports

The City Administrator and staff shall provide the Mayor and Board with briefing reports which clearly and concisely state the issue(s), identify options and provide analysis of the advantages, disadvantages, and likely outcomes of each option, and make recommendations.

6.4 Effective Decision Making Requires Finality

Effective decision making results in finality and “moving on”. While it’s important to deliberate in many voices, the Board must govern with one voice.

6.5 Make No Promises on Behalf of the Board

Board members shall never overtly or implicitly promise a Board action, or to promise City staff will do something specific (issue a permit, fix a pothole, adjust a water bill, etc.). Only decisions of the Board acting as a body are binding.

Section 7: LEGAL COUNSEL AND LITIGATION

The City Attorney provides legal advice to the Board, City Administrator, and staff to the extent their interests coincide with the City’s. The City Attorney should not be requested to provide research, advice, or counsel on matters unrelated to the City’s direct legal interests. The Mayor and members of the Board are encouraged to make requests for legal advice through the City Administrator. This document doesn’t prohibit the Mayor and Board members from having direct access to the City Attorney. Once an individual or organization has filed a legal proceeding against the City or threatened to do so, no Board member shall engage in discussions or other communications with such individual (or the officers or directors of the organization) or their legal counsel about the subject of the lawsuit without first disclosing the intent to do so to the Board.

Section 8: PUBLIC PARTICIPATION

Citizens are encouraged to participate at regular and special board meetings. Before the Board deliberates and votes on matters, citizens will have an opportunity to comment on the matters. A citizen wishing to comment on a matter which is not on a meeting agenda may do so at the town hall meeting. More specific procedures for public participation are in [Section 2-37](#) of the Fort Smith Municipal Code.

Section 9: OPEN, TRANSPARENT GOVERNMENT

All meetings of the City Board must be open and public in accordance with the [Arkansas Freedom of Information Act](#) (Arkansas Statute 25-19-101 et. seq.). Deliberations and decisions of the board should be made so that the public has opportunity to view the performance of its elected officials. The Board may convene in executive session as provided by law. Members of the Board should avoid unintended meetings about city business which may occur in-person, by telephone, or interactive e-mail discussion.

Section 10: FILLING VACANCIES ON THE BOARD OF DIRECTORS BY APPOINTMENT

Once the Board has determined there is a vacant seat on the Board, the Board shall act in accordance with state law ([Arkansas Statute 14-48-115](#)) and as expeditiously as possible to fill the vacancy. If the Board shall fill the vacancy, the Board shall publicly solicit applications/statements of interest from qualified citizens. Based on the number of applications received, the Board shall establish a process for screening and interviewing applicants. The Board shall not be obligated to interview all applicants, particularly if there is a large number.

Section 11: EXECUTIVE SESSION DISCUSSIONS

Discussions held in executive session are to remain confidential and should never be discussed with anyone except those who were present during the executive session discussion. Any notes taken during executive session discussions should be treated with the same confidentiality. There shall be no audio or video recordings of executive sessions.

Section 12: ENDORSEMENT OF CANDIDATES

Board members shall have the right to endorse candidates for all Board seats and for other elected offices. It is prohibited for anyone to make endorsements of candidates during Board meetings or other official City meetings.

Section 13: BOARD MEETING AGENDA PROCESS

Items may be placed on board meeting agendas in accordance with the processes outlined in [Section 2-31](#) of the Fort Smith Municipal Code. During a study session, two or more directors may place an item on the agenda for a regular Board meeting. After a study session but at least 48 hours before the meeting, four directors may place an item on the agenda for the next regular meeting. An item requiring immediate action may be placed on the meeting agenda only with the concurrence of all seven directors. An item placed on a meeting agenda may be removed by four or more directors by giving notice to the City Clerk prior to the date of the meeting.

Section 14: BOARD MEETING TYPES AND PROCEDURES

The Board of Directors conducts regular meetings, special meetings, study session meetings, executive sessions, town hall meetings, neighborhood ward meetings, retreats, budget review meetings, and brain storming meetings. The procedures for conducting meetings are outlined in [Chapter 2, Article II](#) of the Fort Smith Municipal Code.

Section 15: TRAINING AND PROFESSIONAL DEVELOPMENT FOR BOARD MEMBERS

Board members are encouraged to attend training events that are beneficial to the performance of their elective duties. Such events may be found at conferences of the Arkansas Municipal League, the National League of Cities, and other similar organizations. Attendance at such events is subject to funding availability in the Board's budget.

Section 16: TRAVEL AUTHORIZATIONS

16.1 Need for Travel

The Mayor and Board members will sometimes find it necessary to travel to conduct city business. Travel paid with public funds shall be for purposes directly related to the conduct of official city business and for which the elected official's presence is necessary.

16.2 Authorized Expenses

Expenses for official travel shall be for purposes and uses only as permitted by the City's travel policy which may be found [in Section III of the City's Human Resources Policies](#).

Reimbursement amounts shall be in accordance with established allowances for meals, lodging, mileage, etc. Travel expenses for spouses or others accompanying the elected official shall be the sole responsibility of the elected official.

Section 17: RELATIONSHIP BETWEEN BOARD, CITY ADMINISTRATOR, AND STAFF

17.1 Cooperation

Cooperation and mutual respect are essential from each individual for the good of the community. Staff should not be intimidated or manipulated by a Board member's individual comments or actions.

17.2 Informal Communications Encouraged

Individual members of the Board are encouraged to interact informally and casually with City staff for the purpose of gathering information, following up on routine constituent service requests, obtaining progress reports on policies and programs, and providing information to staff. Such informal contacts can serve to promote better understanding of specific City functions and services.

17.3 Limit Contact to Specific City Staff

Questions of City staff and requests for additional background information should be directed only to the City Administrator, Deputy City Administrator, City Attorney, Internal Auditor, and department heads. Requests for information which require a substantial work effort should be made to the City Administrator or Deputy City Administrator rather than to the department head. Requests for follow-up, directions, or action to staff should be made only through the City Administrator or Deputy City Administrator. Requests of the Internal Auditor may be made directly to that official without the need to coordinate with the City Administrator. When in doubt about what staff contact is appropriate, Board members should ask the City Administrator or Deputy City Administrator for assistance.

17.4 Avoid Administrative Functions

Board members shall not attempt to influence City staff on employment decisions, awarding contracts, purchasing decisions, selecting consultants, or issuing City licenses and permits.

17.5 Solicitation of Political Support from City Employees

Board members shouldn't solicit any type of political support (financial contributions, display of posters or yard signs, name on list of supporters, etc.) from City employees. City employees may, as private citizens with constitutional rights, support political candidates. All political activities must occur away from City workplaces, without the use of any City resources, and never during an employee's work time.

Section 18: ORIENTATION OF NEW BOARD MEMBERS

The City Administrator shall provide each newly elected Board member with appropriate orientation services, preferably before the member takes office. Such orientation should include, but not necessarily be limited to, the following:

The Board Best Practices Document	Board Meeting Procedures
Agenda Preparation	Freedom of Information Act
Contacts/Making Requests of Staff	Code of Business Conduct
Tours of City Facilities	

Section 19: COMMUNICATION WITH BOARDS, COMMISSIONS, AND COMMITTEES

Any comments by a City Board member at a board, commission, or committee meeting should be clearly made as individual opinion and not as a representation of the feelings of the entire City Board. It is inappropriate for a City Board member to contact a member of a board, commission, or committee to lobby on behalf of an individual, business, or developer. It is acceptable for City Board members to contact members of boards, commissions, or committees in order to seek clarification of a position taken by the board, commission, or committee.

RESOLUTION NO. R-119-14

A RESOLUTION APPROVING AND AUTHORIZING EXECUTION
OF COOPERATION AND REIMBURSEMENT AGREEMENT

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

SECTION 1: There is hereby approved a Cooperation and Reimbursement Agreement with Whirlpool Corporation providing cooperation procedures in identified areas with reference to Whirlpool’s environmental remediation of identified TCE contamination and reimbursement procedures in the event the City incurs expenses related to activities in defined areas. The Mayor is hereby authorized to execute, his signature being attested by the City Clerk, the approved Cooperation and Reimbursement Agreement in a form substantially as submitted at the meeting of approval.

SECTION 2: Pursuant to paragraph 3 of the approved Cooperation and Reimbursement Agreement, the City Administrator is hereby authorized and directed to administer requests from Whirlpool for temporary access to City-owned property or roadway right-of-way. The City Administrator is authorized to take any and all other necessary actions to effectuate the City’s responsibilities and obligations as set forth in the Cooperation and Reimbursement Agreement.

THIS RESOLUTION ADOPTED THIS 2nd DAY OF September, 2014

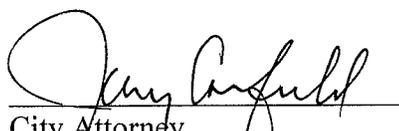
APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to form:


City Attorney
No Publication Required

RESOLUTION NO. R-120-14

A RESOLUTION ACCEPTING DONATION OF RIGHT-OF-WAY
FOR JENNY LIND ROAD & INGERSOLL AVENUE WIDENING PROJECT NO. 07-01-A

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

The donation by Whirlpool Corporation of right-of-way required for the City's Jenny Lind Road & Ingersoll Avenue widening project is hereby accepted. The City Administrator is hereby authorized to record the Special Warranty Deed and Temporary Construction Easement executed and delivered by Whirlpool and to take any and all necessary actions to comply with the approved insurance and other obligations during the City's contracting for the project.

THIS RESOLUTION ADOPTED THIS 2nd DAY OF September, 2014

APPROVED:



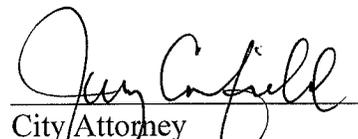
Mayor

ATTEST:



City Clerk

Approved as to form:



City Attorney
No Publication Required

RESOLUTION AUTHORIZING ACQUISITION OF REAL PROPERTY INTERESTS
IN CONNECTION WITH THE REPLACEMENT OF SEWER LIFT STATION NUMBER 17

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

Section 1: The City Administrator and the City Attorney are hereby authorized to acquire by the exercise of the City's power of eminent domain, if necessary, a 944 square foot easement for a sewer lift station site located at 10800 Old Harbor Road, Fort Smith, Arkansas, designated as 12-15-P in connection with the Replacement of Lift Station Number 17, Project Number 12-15-ED1.

<u>Tract No.</u>	<u>Owner</u>	<u>Appraised Value</u>
Site A	SRG Partners 1994 #1 Limited Partnership	\$2,500.00

Until acquisition by the City, authorization set forth in Property Acquisition Policy Resolution R-40-05 of May 17, 2005 is continued in effect in the event the property owner desires to agree to acquisition at the appraised value set forth in the Resolution.

This Resolution adopted this 2nd day of September 2014.

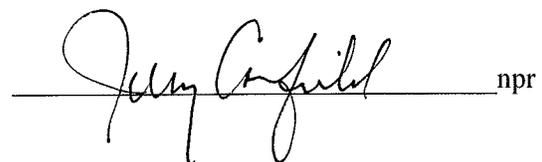
APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


npr

NO ACTION TAKEN
due to adoption of Item No. 9A
(Resolution No. R-121-14) at the
September 2, 2014 Regular Meeting

RESOLUTION NO. _____

9 B

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AN OFFER
MADE BY A PROPERTY OWNER FOR THE ACQUISITION OF REAL PROPERTY
INTERESTS FOR THE REPLACEMENT OF SEWER LIFT STATION NUMBER 17

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 real
property made by the following property owner:

<u>Tract Number</u>	<u>Property Owner</u>	<u>Amount</u>
Site B	Michelle L. Hall Hood & James Hood	\$146,000.00

and to make payment for same in connection with the acquisition of real property designated as
Project 12-15-P for the Replacement of Sewer Lift Station Number 17, Project Number 12-15-ED1,
said property located at 10906 Edgewater Road, Fort Smith, Arkansas.

This Resolution adopted this _____ day of September 2014.

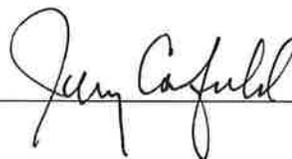
APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



npr

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT
AND AUTHORIZATION ONE FOR ENGINEERING SERVICES WITH
BURNS & MCDONNELL FOR THE DESIGN OF FLUORIDATION FEED SYSTEMS
AT THE LEE CREEK AND LAKE FORT SMITH WATER TREATMENT PLANTS

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

SECTION 1: An Agreement and Authorization One with Burns & McDonnell Engineering
Company for providing engineering services associated with the design of fluoridation feed systems at
the Lee Creek and Lake Fort Smith water treatment plants is hereby approved.

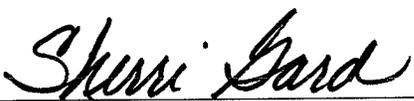
SECTION 2: The Mayor is hereby authorized to execute an Agreement and Authorization One
for professional engineering services in the amount of \$180,000.00.

This Resolution adopted this 2nd day of September 2014.

APPROVED:


MAYOR

ATTEST:



City Clerk

APPROVED AS TO FORM:



npr

ORDINANCE NO. 52-14

AN ORDINANCE DECLARING AN EXCEPTIONAL SITUATION AND WAIVING THE REQUIREMENTS FOR COMPETITIVE BIDDING FOR THE LEASE PURCHASE OF RADIO COMMUNICATION EQUIPMENT AND AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE ALL NECESSARY LEASE DOCUMENTS REGARDING SAID AGREEMENT

WHEREAS, the City of Fort Smith, Arkansas ("Municipality") is a political subdivision of the State of Arkansas (the "state") and is duly organized and existing pursuant to the Constitution and laws of the State;

WHEREAS, pursuant to applicable law described in Section 4 below, the governing body of the Municipality ("Governing Body") is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interest in property and leases necessary to the functions or operations of the Municipality;

WHEREAS, the Governing Body hereby finds and determines that the execution of the Lease-Purchase Agreement ("Lease") in a principal amount not exceeding the amount of \$255,558.70 for the purpose of acquiring the property ("Equipment") to be described in the Lease is appropriate and necessary to the functions and operations of the Municipality: and,

WHEREAS, Motorola Solutions, Inc. ("Lessor") shall act as Lessor under said Lease.

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

Section 1. The Mayor, his signature being attested by the City Clerk, is hereby authorized to execute the Lease Purchase Agreement documents with Lessor providing for the lease and purchase by Municipality of radio equipment for the Transit Department in the form, or substantially in the form, of the Lease Purchase Agreement documents presented to the Governing Body at the time of adoption of the Ordinance. The City Administrator is hereby authorized to negotiate such additional documents as are necessary to complete the Lease Purchase Agreement and the Mayor is hereby authorized to execute, his signature being attested by the City Clerk, any such necessary documents. All other related contracts, agreements and documents necessary and incidental to the Lease-Purchase Agreement are hereby authorized.

Section 2. The principal amount of the Lease shall not exceed the sum of \$255,558.70 to the General Fund and shall bear interest as set forth in the Lease and the Lease shall contain such options to purchase by the Municipality as are set forth therein.

Section 3. As provided in Amendment No. 78, the rental payments under the Lease in each fiscal year shall be charged proportionately against and paid from the General Fund of the Municipality for each fiscal year. For the purpose of making the rental payments there is hereby,

and shall be, appropriated to pay the rental payments, an amount of the General Fund revenues of the City sufficient for such purposes. The City Treasurer is hereby authorized and directed to withdraw from the General Fund and/or from such other sources as may be hereafter directed by the Governing Body, the amounts and at the times directed by the Governing Body, the amounts and at the times necessary to make the rental payments under the Lease. The obligations of the Municipality under the Lease shall be secured by a security interest in the Equipment in favor of the Lessor.

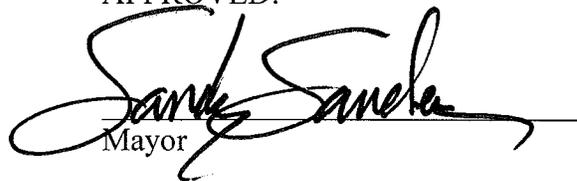
Section 4. This Ordinance is adopted pursuant to the authorizations and according to the procedures provided by Arkansas Constitution, Amendment 78 and the Local Government Short-term Financing Obligations Act of 2001, Act No. 1808 of the 2001 Acts of Arkansas, codified as Chapter 78 of Title 14 of the Arkansas Code Annotated.

Section 5. The City desires to purchase radio communications equipment consistent with the existing radio system equipment utilized by other City departments. Therefore it is hereby found and determined by the Board that the required competitive bidding procedures are waived as not being feasible under this situation. With reference to the financing services provided by Motorola Solutions, Inc. regarding the lease-purchase agreement, based on the City's past review of lease purchase proposals by other providers of services and compatibility with the City's legal concerns of the financing documents approved for use by Motorola Solutions, Inc., the Board finds and determines that an exceptional situation exists so that compliance with the contract for services provisions of the Fort Smith Code and state statutes, if any, is waived.

Section 6. The Lease funding source reimbursement is contingent upon required federal clauses from the Federal Transit Administration. The Lessor agrees to comply with the attached federal contract clauses.

Passed and approved this 2nd day of September, 2014

APPROVED:


Mayor

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


npr

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AUTHORIZATION NUMBER TWO TO THE AGREEMENT WITH CDM SMITH, INC., FOR PROVIDING ENGINEERING SERVICES WITH THE MASSARD WASTEWATER TREATMENT PLANT ODOR CONTROL IMPROVEMENTS

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

SECTION 1: Authorization Number Two with CDM Smith, Inc., for providing engineering services associated with the Massard Wastewater Treatment Plant Odor Control Improvements, Project Number 13-02-ED2, is hereby approved.

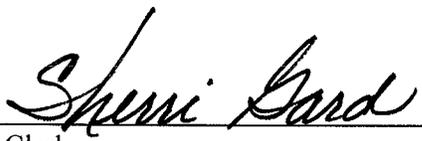
SECTION 2: The Mayor is hereby authorized to execute Authorization Number Two in the amount of \$68,550.00, for performance of said services.

This Resolution adopted this 2nd day of September 2014.

APPROVED:


Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



npr

RESOLUTION ACCEPTING THE PROJECT AS COMPLETE AND
AUTHORIZING FINAL PAYMENT TO FORSGREN, INC., FOR THE
BEN GEREN AQUATICS CENTER WATER AND SEWER EXTENSIONS

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

SECTION 1: The construction of Ben Geren Aquatics Center Water and Sewer
Extensions, Project Number 14-02-C1, is accepted as complete.

SECTION 2: Final payment to Forsgren, Inc., in the amount of \$51,344.27, is hereby
approved.

This Resolution adopted this 2nd day of September 2014.

APPROVED:


Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



npr

RESOLUTION NO. R-125-14

RESOLUTION ACCEPTING BID FOR THE PURCHASE OF SELF-CONTAINED
BREATHING APPARATUS (SCBA)

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

The bid as indicated by enclosure for the purchase of self-contained breathing apparatus from Emergency Vehicle Specialist of Conway, Arkansas, for \$696,945.00, is accepted.

This Resolution adopted this 2nd day of September, 2014.

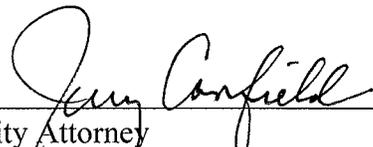
APPROVED:


MAYOR

ATTEST:


CITY CLERK

Approved as to form:


City Attorney
No Publication Required

Tabulation of Bids- City of Fort Smith Fire Department Open Circuit Self-Contained Breathing Apparatus (SCBA) Bid Tab #4803-SF-BA				
Vendor	Cost Per Unit	Freight	Total Cost	Delivery Date
Casco Industries Oklahoma City, OK	\$6,385.00	0	\$619,345.00*	June 30, 2015 If Approved
NAFECO Decatur, AL	\$6,717.62	0	\$651,609.00**	Pending Approval No Date Given
G&W Diesel (EVS) Memphis, TN	\$7,185.00	0	\$696,945.00 ✓	90 Days from PO

✓ Recommended bid award

*Vendor does not meet the following significant specifications

- Has not been approved to NIOSH 42 CFR, Part 84 for chemical, biological, radiological, and nuclear protection (CBRN)
 - The SCBA's have to be approved for CBRN use for firefighting personnel to work in these types of emergencies
- Has not been approved by the National Fire Protection Association (NFPA) to meet the NFPA 1981, 2013 Standard
 - Meeting the NFPA 1981, 2013 standard was a no-exception requirement from FEMA for grant approval
- Did not meet the NFPA 1982, 2013 standard on Personal Alert Safety Systems (PASS)
 - PASS devices are audible and visual alarms integrated into the SCBA's to alert other firefighting personnel when a firefighter becomes disabled or unconscious
- Does not meet the requirement for a user to hear an audible sound when the regulator is attached correctly to the facepiece.
 - It is critical that the firefighter knows the regulator is correctly attached to keep deadly gases from entering the facepiece
- Does not have a specified drag rescue loop
 - Drag rescue loops are necessary to assist removing a downed firefighter to a place of safety
- Does not meet the requirement for the low air alarm indicator to not rely solely on electronics
 - It is critical the low air alarm have reliable methods to alert the firefighter that he/she is low on air and has time to exit to a non-hazardous area
- Does not meet the requirement to have a facepiece mounted voice amplification device
 - It is critical that a firefighter be able to communicate effectively while wearing SCBA
- Was non-compliant on 24 of 105 line specifications

**Vendor does not meet the following significant specifications

- Has not been approved by the National Fire Protection Association (NFPA) to meet the NFPA 1981, 2013 Standard
 - Meeting the NFPA 1981, 2013 standard was a no-exception requirement from FEMA for grant approval
- Did not meet the NFPA 1982, 2013 standard on Personal Alert Safety Systems (PASS)

- PASS devices are audible and visual alarms integrated into the SCBA's to alert other firefighting personnel when a firefighter becomes disabled or unconscious
- Does not meet the requirement to operate at 5500 psig
 - Using other SCBA designs will add weight to the unit the firefighter is wearing thereby making their task much harder to accomplish
- Does not meet any of the five requirements for the Personal Alert Safety System (PASS)
 - PASS devices are audible and visual alarms integrated into the SCBA's to alert other firefighting personnel when a firefighter becomes disabled or unconscious
- Does not meet the requirement to be warranted for no less than five (5) years for the electronic components
 - Only provided a three (3) year warranty
- Was non-compliant on 21 of 105 line specifications

RESOLUTION NO. R-126-14

RESOLUTION ACCEPTING BIDS FOR THE PURCHASE OF
WATER AND WASTEWATER CHEMICALS FOR 2014-2015

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
08-27-14BA** for the purchase of water and wastewater chemicals for 2014-2015, are
accepted.

This Resolution adopted this 2nd day of September, 2014.

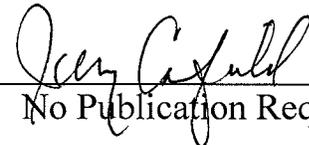
APPROVED:


MAYOR

ATTEST:


CITY CLERK

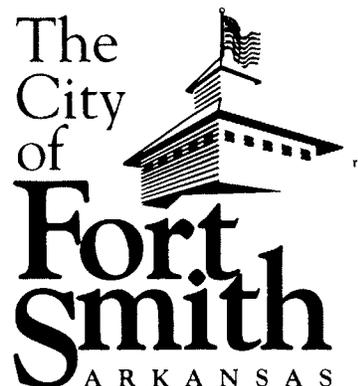
Approved as to form:


 No Publication Required

Publish ___ Times

Interoffice Memorandum

TO: Ray Gosack, City Administrator
COPY TO: Steve Parke, Director of Utilities
FROM: Alie Bahsoon, Purchasing Manager
SUBJECT: 2014-2015 Water Chemical Bid Tabulation
DATE: August 28, 2014
BID TAB: 08-27-14BA



Attached you will find the bid tabulation for Treatment Chemicals for the 2014-2015 year. These chemicals will be used by the Fort Smith Water and Wastewater Departments.

In an effort to significantly reduce cost and realize efficiencies in our procurement process, we once again solicited bids by partnering with eBridge, an online service that assists buyers like the City in achieving true-market value through its competitive sourcing and online procurement system. Our traditional sealed bid process allows a vendor to submit one bid. By virtue of conducting the chemical bid through eBridge, this allows the vendor the opportunity to “fine tune” their bid price during the online bid process and the City therefore benefit significantly in realizing cost reductions and procurement efficiencies through this process.

A total of 20 suppliers participated in this process and 801 bids were placed with 142 first-place turnovers. As an example, three vendors were competitively bidding on Calcium Nitrate. Because of the online bid process, 99 bids were submitted (as opposed to three bids, the traditional way). While bidding, each vendor does not know their competitor’s price. The vendor simply sees their current ranking and is afforded the opportunity to adjust their price; this resulted in a total of 99 bids submitted with the 1st place turnover rate of 16 total times. Additionally, the vendor that was awarded the bid at \$480, their starting bid price was \$594 per liquid ton and placed a total of 9 bids. The second lowest bidder submitted a total of 89 bids with a starting bid price of \$700 and an ending bid price of \$497.50 per liquid ton. The end result is significant cost savings for the City!

Although the specifications are not attached, they are available in my office should you or any members of the board wish to view them.

I am recommending that the bids noted by enclosure on the attached tabulations be accepted. Please let me know if you or any of the board members should have any questions.

CITY OF FORT SMITH, ARKANSAS
Tabulation of Bids: 2014-2015 Water & Waste Water Treatment Chemicals Tab 08-27-14BA
Subject to Board of Directors Approval on September 2, 2014

Vendor	Hydrated Lime	Liquid Chlorine	Liq. Ferric Sulfate	Potassium Perm.	SW-102 Polymer	CF-150 Polymer	Sodium Hypochlorite	Sodium Hydroxide	Sodium Bisulfite	Pow. Act. Carbon	Calcium Nitrate	Sodium Carbonate
2013-2014 Pricing	\$204.00	\$748.00	\$134.89	\$3.347	\$0.490	\$0.232	\$1.60	\$2.15	\$1.12	\$0.58	\$550.00	\$420.50
AR Lime Co.	\$ 219.10											
Brenntag Southwest	\$ 240.00	\$ 794.00	\$ 289.99	\$ 4.00	\$ 0.5220	\$ 0.2690	\$ 1.157	\$ 2.370	\$ 1.610	\$ 0.629	\$ 600.00	\$ 400.75
M.L. Ball												
Cabot Norit Americas										\$ 0.830		
Calabrian Corporation									\$ 1.650			
Carus Corporation				\$ 3.50								
Chemrite Inc.	\$ 320.00										\$ 480.00	\$ 455.00
Chemtrade Chemicals			\$ 143.00			\$ 0.2080						
J.B. Crawford									\$ 1.090			
F2-Industries										\$ 0.660		
Gulbrandsen Technologies						\$ 0.2090						
Harcros Chemical							\$ 1.170	\$ 2.372				\$ 400.00
Jacobi Carbons, Inc.										\$ 0.979		
Kemira Water Solutions			\$ 143.30									
Lhoist North America	\$ 263.88											
Pencoc, Inc.			\$ 176.00									
PVS Chemical Solutions									\$ 1.746			
Southern Ionics Inc.									\$ 1.098			
Thatcher Co.										\$ 0.920	\$ 497.50	\$ 476.00
Water Tech, Inc.					\$ 0.5210	\$ 0.2500						

Price Increase/Decrease \$ (15.10) \$ (46.00) \$ (8.11) \$ (0.15) \$ (0.03) \$0.02 \$0.44 \$ (0.22) \$0.03 \$ (0.05) \$70.00 \$20.50

Recommended bid award



Final Bid Submission Report

2014 - 2015 Chemicals

Started: 8/27/2014 10:00 AM

Ended: 8/27/2014 11:54 AM

2014-2015 Water and Wastewater Treatment Chemicals

Hydrated Lime per Specifications, Delivered - Price per TON

Rank	Company	Value	Date/Time
1	Arkansas Lime Company	\$210.19	8/26/2014 11:09:16 AM
2	Brenntag Southwest Inc.	\$240.00	8/26/2014 8:26:26 AM
3	Lhoist North America of Missouri, Inc.	\$263.88	8/26/2014 11:34:50 AM
4	Chemrite	\$320.00	8/26/2014 2:44:40 PM

Liquid Chlorine per Specifications, Delivered - Price per TON

Rank	Company	Value	Date/Time
1	Brenntag Southwest Inc.	\$794.00	8/27/2014 10:30:59 AM

Liquid Ferric Sulfate per Specifications, Delivered - Price per WET TON

Rank	Company	Value	Date/Time
1	Chemtrade Chemicals US LLC	\$143.00	8/27/2014 10:18:19 AM
2	Kemira Water Solutions	\$143.30	8/27/2014 10:18:36 AM
3	Pencoco, Inc.	\$176.00	8/27/2014 10:10:18 AM
4	Brenntag Southwest Inc.	\$289.99	8/26/2014 8:26:26 AM

Potassium Permanganate per Specifications, Delivered to Mountainburg WTP - Price per CAIROX CYCLE BIN

Rank	Company	Value	Date/Time
1	Carus Corporation	\$11,576.25	8/27/2014 8:20:19 AM
2	Brenntag Southwest Inc.	\$13,228.80	8/26/2014 8:26:26 AM

Potassium Permanganate per Specifications, Delivered to Lee Creek - Price per CAIROX CYCLE BIN

Rank	Company	Value	Date/Time
1	Carus Corporation	\$11,576.25	8/27/2014 8:20:19 AM
2	Brenntag Southwest Inc.	\$13,228.80	8/26/2014 8:26:26 AM

Polymer Coagulant Aid SW-102 per Specifications, Delivered - Price per POUND

Rank	Company	Value	Date/Time
1	Water Tech, Inc.	\$0.5210	8/27/2014 11:17:14 AM
2	Brenntag Southwest Inc.	\$0.5220	8/27/2014 11:15:53 AM

Liquid Cationic Coagulant Aluminum Chlorhydrate CF-150 per Specifications, Delivered - Price per POUND

Rank	Company	Value	Date/Time
1	Chemtrade Chemicals US LLC	\$0.2080	8/27/2014 11:17:32 AM
2	Gulbrandsen Technologies, Inc.	\$0.2090	8/27/2014 11:15:17 AM
3	Water Tech, Inc.	\$0.2500	8/27/2014 10:12:36 AM
4	Brenntag Southwest Inc.	\$0.2690	8/27/2014 10:26:09 AM

Sodium Hypochlorite 10 Percent per Specifications, Delivered - Price per GALLON

Rank	Company	Value	Date/Time
1	Brenntag Southwest Inc.	\$1.1570	8/27/2014 10:58:24 AM
2	Harcros Chemical	\$1.1700	8/27/2014 10:55:51 AM

Sodium Hydroxide 20 Percent per Specifications, Delivered - Price per GALLON

Rank	Company	Value	Date/Time
1	Brenntag Southwest Inc.	\$2.3700	8/27/2014 11:15:53 AM
2	Harcros Chemical	\$2.3720	8/27/2014 10:47:57 AM

Sodium Bisulfite, Aqueous Solution per Specifications, Delivered - Price per GALLON

Rank	Company	Value	Date/Time
1	J. B. Crawford Chemical Company	\$1.0900	8/27/2014 10:14:35 AM
2	Southern Ionics Incorporated	\$1.0980	8/27/2014 10:13:49 AM
3	Brenntag Southwest Inc.	\$1.6100	8/27/2014 10:26:09 AM
4	Calabrian Corporation	\$1.6500	8/26/2014 10:44:00 AM
5	PVS Chemical Solutions	\$1.7400	8/27/2014 10:04:57 AM

Powdered Activated Carbon per Specifications, Delivered in BAGS to Lee Creek - Price per POUND

Rank	Company	Value	Date/Time
1	Brenntag Southwest Inc.	\$0.5990	8/27/2014 10:19:47 AM
2	F2 Industries, LLC	\$0.6400	8/27/2014 10:21:03 AM
3	Thatcher Company	\$0.6700	8/27/2014 10:37:54 AM
4	M.L. Ball Company, Inc.	\$0.7000	8/27/2014 10:09:01 AM
5	Cabot Purification	\$0.8400	8/27/2014 10:02:20 AM
6	Jacobi Carbons, Inc	\$0.9100	8/27/2014 10:08:32 AM

Powdered Activated Carbon per Specifications, Delivered in BULK to Lake Fort Smith - Price per POUND

Rank	Company	Value	Date/Time
1	Brenntag Southwest Inc.	\$0.6290	8/27/2014 10:29:35 AM
2	F2 Industries, LLC	\$0.6600	8/27/2014 10:32:46 AM
3	Cabot Purification	\$0.8300	8/27/2014 10:02:35 AM
4	Thatcher Company	\$0.9200	8/27/2014 10:59:53 AM
5	Jacobi Carbons, Inc	\$0.9790	8/27/2014 10:08:00 AM

Calcium Nitrate per Specifications, Delivered - Price per LIQUID TON

Rank	Company	Value	Date/Time
1	Chemrite	\$480.00	8/27/2014 11:51:50 AM
2	Thatcher Company	\$497.50	8/27/2014 11:51:21 AM
3	Brenntag Southwest Inc.	\$600.00	8/26/2014 8:26:26 AM

Soda Ash Dense, Sodium Carbonate per Specifications, Delivered - Price per TON

Rank	Company	Value	Date/Time
1	Harcros Chemical	\$400.00	8/27/2014 11:33:39 AM
2	Brenntag Southwest Inc.	\$400.75	8/27/2014 11:29:50 AM
3	Chemrite	\$455.00	8/27/2014 11:30:53 AM
4	Thatcher Company	\$476.00	8/27/2014 11:27:36 AM

RESOLUTION NO. R-127-14

RESOLUTION ALLOWING THE SALE OF SURPLUS VEHICLES
AND EQUIPMENT AT PUBLIC AUCTION

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

The vehicles and equipment shown on the attached list are surplus and no
longer needed by the City of Fort Smith.

The same shall be sold at the public auction on October 16, 2014.

This Resolution adopted this 2nd day of September, 2014.

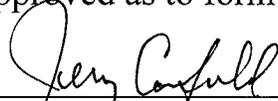
APPROVED:


MAYOR

ATTEST:


CITY CLERK

Approved as to form:


 No Publication Required

Publish ___ Times

10G

Interoffice Memorandum

TO: Ray Gosack, City Administrator
FROM: Alie Bahsoon, Purchasing Manager
SUBJECT: 2014 City Auction
DATE: August 28, 2014



The 2014 City of Fort Smith Auction is scheduled for **Thursday, October 16, 2014** at the Fort Smith Transit Facility, located at 6821 Jenny Lind Road. The auction will begin at 10:00 a.m. and will be conducted by Looper Auction & Realty, Inc.

You will find attached a list consisting of surplus vehicles and equipment that are scheduled to be sold at the auction. For your convenience, I have included the names of the departments that are disposing of the items, the mileage, what the vehicle/equipment was used for, and the current condition.

In an effort to promote the auction to the citizens of Fort Smith, a complete list of items being sold will be made available on the City's website at www.fortsmithar.gov.

Should you have any questions or should require any additional information, please do not hesitate to let me know.

**CITY OF FORT SMITH - 2014 AUCTION
Surplus Vehicles/Trucks**

DEPARTMENT	PROGRAM #	VEHICLES DESCRIPTION (Year/Make/Model); Mileage; Used For?	VIN #	CONDITION Good/Fair/Poor/Wrecked or Spare Parts	ASSET #
Utilities	5611	2000, GMC, Top Kick 2 Ton Dump Truck, 5 YD Bed, 92,259 Miles	1GDL7H1C7YJ503199	Fair / Runs	755
Utilities	5613	1999, FORD, F-450, 4x4 1 ½ Ton Truck with Crain, 135,030 Miles	3FDKF36L55MA11179	Fair / Runs	493
Utilities	5613	2001, DODGE, 3500 1 Ton Service Truck with Utility Bed, 202,765 Miles	3B6MC36521M563468	Fair / Runs	572
Utilities	5613	1999, DODGE, 2500 3/4Ton 4 Wheel Drive Truck, 121,749 Miles	3B7KF26Z3XM561955	Fair / Runs	436
Utilities	5613	2001, DODGE, 3500 1 Ton Service Truck, 4wd w/crane, 125,087 Miles	3B6MF36681M563801	Fair / Runs	164
Utilities	5613	2001, DODGE, 3500 1 Ton Service Truck with Utility Bed, 103,371 Miles	3B6MC36541M563469	Fair / Runs	573
Utilities	5611	2003, FORD, F-650, 2 Ton Dump Truck with 5 Yard Bed, 87,312 Miles	3FDNF65653MB01388	Poor / Runs	514
Utilities	5613	2006, FORD, Freestar Van, 95,396 Miles	2FMZA51697BA04010	Poor / Runs	944
Utilities	5501	1996 Ford Aerostar van 67,485 miles	1FMDA11U4TZBO2869	Fair/Runs	424
Utilities	5605	2002 Chevy ¾ ton, 4WD, 118,547 miles Used in Watershed	1GCHK24U427326050	Fair, hail damage, struck by lightning	498

10G

DEPARTMENT	PROGRAM #	VEHICLES DESCRIPTION (Year/Make/Model); Mileage; Used For?	VIN #	CONDITION Good/Fair/Poor/Wrecked or Spare Parts	ASSET #
Utilities	5605	2005 GMC ½ ton, 4WD, 121,198 miles Used in Watershed	1GTEK14T25Z301723	Fair, needs shocks	543
Transit	6550	1998 Ford Crown Victoria 153,276 miles; mail run	2FAFP71W6WX148879	Fair	834
Engineering	4103	2001 Jeep Cherokee; 42,503 miles; general city business	1J4FF48S01L617530	Poor (hail damage)	118
Engineering	4103	2003 Ford F150; 62,000 miles; general city business	1FTRF17203NA30853	Wrecked	150
Police	4703	2003 Pontiac Grand Prix, 86,000 miles. Used for investigations.	1G2WK52J23F153461	Wrecked	585
Police	4703	2003 Chevrolet Impala, 100,000 miles. Used for investigations.	2G1WF52EG39297597	Fair	552
Police	4703	2005 Ford Taurus, 93,000 miles. Used for investigations.	1FAFP56UX5A294382	Fair	999
Police	4703	2002 Nissan Maxima SE, 114,000 miles. Used for investigations.	JN1DA31002T416930	Fair	906
Police	4705	1999 Jeep Cherokee Sport, 137,000 miles. Radio maintenance transport.	1J4FF68S1XL643946	Fair	476
Fire	4801	2000 Chevrolet Impala, Staff Vehicle Mileage: Gauge broke no display	2G1WF55K2Y9375205	Poor	349
Fire	4801	1995 GMC Suburban, Staff Vehicle Mileage: 192,245	1GKFK16KXSJ744547	Poor	340

10G

DEPARTMENT	PROGRAM #	VEHICLES DESCRIPTION (Year/Make/Model); Mileage; Used For?	VIN #	CONDITION Good/Fair/Poor/Wrecked or Spare Parts	ASSET #
Customer Service	4304	2005 GMC 1500 134,000 miles, used for water turn on turn offs	1GTEC14X05Z302286	Good	130
Customer Service	4304	2006 Ford F150 135,000 miles, used for water turn on turn offs	1FTRF12296NB57757	Good	951
EQUIPMENT LIST					
DEPARTMENT	PROGRAM #	Equipment Description (Year/Make/Model); Hours	Serial #	CONDITION Good/Fair/Poor/Wrecked or Spare Parts	ASSET #
Utilities	5613	1994 Ford Tractor, Model 3415, 2 Wheel Drive, 1,176 Hours	X29784	Fair / Runs	496
Utilities	5611	2000 Case 1825B skid steer, 459.5 Hours	JAF0272331UN825B07	Poor / Runs	2017
Parks	6201	15' Batwing finish mower -- Woods 9180 RD	35TC10-125	Fair	n/a
Parks	6201	2004 Jacobsen Turfcats T628 Mower 72" deck	Serial #94671300001611	Fair 1602 hours	1022
Parks	6201	2003 Jacobsen Turfcats T628 Mower 72" deck	Serial #94671300707	Fair 1477 hours	1018
Sanitation	6304	2003 Elgin Pelican Sweeper, 4437 hours, sweeping roads	P4141D	Fair	3017