

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 – Tracy Pennartz  
At Large Position 6 – Kevin Settle  
At Large Position 7 – Don Hutchings

**AGENDA ~ Summary**  
**Fort Smith Board of Directors**  
**REGULAR MEETING**  
**January 20, 2015 ~ 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 AND ONLINE AT <http://www.ustream.tv/channel/city-of-fort-smith-board-of-directors-meetings>**

**INVOCATION & PLEDGE OF ALLEGIANCE**  
Pastor Andrew Robertson, House of Prayer & Praise

**ROLL CALL**

- All present, except Director Pennartz (Director Pennartz arrived immediately following roll call)
- 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, the City website or <http://www.ustream.tv/channel/city-of-fort-smith-board-of-directors-meetings>

**APPROVE MINUTES OF THE JANUARY 6, 2014 REGULAR MEETING**

Approved as written

**ITEMS OF BUSINESS:**

1. Items pertaining to a special election
  - A. Ordinance calling for a special election regarding the continued effectiveness of Fort Smith Ordinance No. 72-85, which provides for the local one percent sales tax for city streets, bridges and associated drainage, and, in the event of continuation of said sales tax, seeking voter approval for the use of 5% of

the sales tax funds for trails and bikeways; designating a ballot title for use at such election; and, for other purposes ~ *Lorenz/Pennartz placed on agenda at the January 13, 2015 study session* ~  
Approved 7 in favor, 0 opposed / Ordinance No. 7-15

- B. Resolution endorsing continuation of the one percent sales tax for streets, bridges and associated drainage; and endorsing allocation of 5% of the proceeds from said sales and use tax for construction and enhancement of trails and bikeways  
Approved 7 in favor, 0 opposed / Resolution No. R-6-15
2. Ordinance amending Chapter 3 of the Fort Smith Municipal Code to establish fees for dispensary permits for alcoholic beverages and for permits for serving mixed drinks and other alcoholic beverages and for other purposes ~ *Discussed at the November 25, 2014 budget hearing* ~  
Defeated – Died for lack of a second
3. Ordinance ordering the owners of certain dilapidated and substandard structures to demolish same, authorizing the City Administrator to cause the demolition of such structures to occur, and for other purposes (*723 North 5<sup>th</sup> Street / Griffith & Nix Addition*)  
Approved 7 in favor, 0 opposed / Ordinance No. 8-15
4. Ordinance authorizing the appropriation of funds from the General Fund (*Steel Horse Rally scheduled for May 1 & 2, 2015*) ~ *Settle/Catsavis placed on agenda at the January 13, 2015 study session* ~  
Approved 4 in favor, 3 opposed (Lau, Good & Pennartz) / Ordinance No. 9-15  
Ordinance No. 9-15 was vetoed by the Mayor; therefore, such will be included on the February 3, 2015 regular
5. Consent Agenda meeting agenda for consideration. The veto may be overturned by 2/3 vote of the Board.
- A. Ordinance authorizing the Mayor to execute agreements for certain services for inhabitants of the city of Fort Smith  
Approved 5 in favor, 2 opposed (Lau & Pennartz) / Ordinance No. 10-15
- B. Resolution authorizing the acquisition of real property interests for the Town Branch Drainage Improvements, Phase III, Project No. 11-06-B (\$30,699.00 / Engineering Department / Budgeted – Sales Tax Program)  
Approved 7 in favor, 0 opposed / Resolution No. R-7-15
- C. Resolution to accept the bid and authorize a contract for the 2013 Drainage Improvements, Phase A Project No. 13-06-A (\$1,943,072.00 / Engineering Department / Budgeted – Sales Tax Program)  
Approved 7 in favor, 0 opposed / Resolution No. R-8-15
- D. Resolution authorizing execution space use agreement with Young Actors Guild for space on the main level of the Convention Center Annex  
Approved 7 in favor, 0 opposed / Resolution No. R-9-15 The Board conveyed no objection to revise the agreement to include a \$1 space use fee.

- E. Resolution accepting bid for the purchase of a two ton dump truck with snow plow (\$129,379.00 / *Street Department / Budgeted – Street Maintenance Sinking Fund*)  
Approved 7 in favor, 0 opposed / Resolution No. R-10-15
- F. Resolution accepting bid for the purchase of a backhoe loader (\$77,357.00 / *Utilities Department / Budgeted – 2014 Water and Sewer Operating Fund*)  
Approved 7 in favor, 0 opposed / Resolution No. R-11-15
- G. Ordinance authorizing the execution of a contract for service between the City of Fort Smith, Arkansas, and Bair Analytics, by which Bair Analytics will provide crime analysts, technical personnel, analytical software and services for crime analyses for the Fort Smith Police Department (\$82,490.00 / *Police Department / Budgeted – 2014 personnel/payroll Crime Analyst position*)  
Approved 6 in favor, 1 opposed (Lau) / Ordinance No. 11-15
- H. Resolution authorizing partial payment to BRB Contractors, Inc. for the construction of the Mill Creek Pump Station and Equalization Tank (\$864,456.60 / *Utility Department / Budgeted – 2014 Sales and Use Tax Bonds*)  
Approved 7 in favor, 0 opposed / Resolution No. R-12-15
- I. Resolution authorizing the City Administrator to accept offer made by property owners for the acquisition of real property interests for the Lee Creek Reservoir Water Supply Project (\$195,000.00 / *Utility Department / Budgeted – 6505 Capital Improvement Fund*)  
Approved 7 in favor, 0 opposed / Resolution No. R-13-15
- J. Resolution authorizing Change Order No. 2 with Goodwin & Goodwin, Inc. for the construction of the Massard Interceptor Access Improvements (*time only*)  
Approved 7 in favor, 0 opposed / Resolution No. R-14-15
- K. Resolution accepting the project as complete and authorizing final payment to Goodwin & Goodwin, Inc. for the Massard Interceptor Access Improvements (\$12,549.63 / *Utility Department / Budgeted – 2012 Sales and Use Tax Bonds*)  
Approved 7 in favor, 0 opposed / Resolution No. R-15-15
- L. Resolution authorizing Amendment No. 1 to Authorization No. 2 with Hawkins-Weir Engineers, Inc. for engineering services for the Mill Creek Interceptor Improvements – Phase II (\$68,000.00 / *Utility Department / Budgeted – 2012 Sales and Use Tax Bonds*)  
Approved 7 in favor, 0 opposed / Resolution No. R-16-15
- M. Resolution authorizing the Mayor to execute an agreement with Hawkins Weir Engineers, Inc. for providing preliminary engineering services associated with

the "P" Street Basin Interceptor Sewer Capacity Improvements (\$396,500.00 / Utility Department / Budgeted – 2012/2014 Sales and Use Tax Bonds)  
Approved 7 in favor, 0 opposed / Resolution No. R-17-15

**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, the City website or <http://www.ustream.tv/channel/city-of-fort-smith-board-of-directors-meetings>

**EXECUTIVE SESSION**

Appointments: **ANIMAL SERVICES ADVISORY BOARD**  
Tonya Rogers (reappointment)  
Term expires January 21, 2018

**SEBASTIAN COUNTY REGIONAL SOLID WASTE DISTRICT MANAGEMENT BOARD**  
Andrew Galbach (reappointment)  
Term expires January 21, 2018

**ADJOURN**  
7:49 p.m.

ORDINANCE NO. 7-15

AN ORDINANCE CALLING FOR A SPECIAL ELECTION REGARDING THE CONTINUED EFFECTIVENESS OF FORT SMITH ORDINANCE NO. 72-85, WHICH PROVIDES FOR THE LOCAL ONE PERCENT SALES TAX FOR CITY STREETS, BRIDGES AND ASSOCIATED DRAINAGE, AND, IN THE EVENT OF CONTINUATION OF SAID SALES TAX, SEEKING VOTER APPROVAL FOR THE USE OF 5% OF THE SALES TAX FUNDS FOR TRAILS AND BIKEWAYS; DESIGNATING A BALLOT TITLE FOR USE AT SUCH ELECTION; AND, FOR OTHER PURPOSES

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

SECTION 1: The question of the continued effectiveness of Fort Smith Ordinance No. 72-85, which levies a local sales (gross receipts) and use tax at the rate of one percent (1%) upon the receipts from sales at retail within the City of Fort Smith, the proceeds from which tax are designated for the use of City streets, bridges and associated drainage, shall be submitted to a vote of the electorate of Fort Smith, Arkansas, at a special election to be held on the 12<sup>th</sup> day of May, 2015. In addition to the question of the continued effectiveness of Fort Smith Ordinance No. 72-85, the question shall be submitted to a vote of the electorate of Fort Smith, Arkansas, should it approve the continued effectiveness of Fort Smith Ordinance No. 72-85, whether 5% of those sales tax funds may be used for trails and bikeways. The City Clerk is hereby authorized and directed to give all necessary notices to the County Board of Election Commissioners and to all other persons of the calling of such election.

SECTION 2: The ballot presentation of the issues to be used in such election shall be substantially in the following form:

Shall the Board of Directors continue the effectiveness of Fort Smith Ordinance No. 72-85, which levies a local sales (gross receipts) and use tax at the rate of one percent (1%) upon the receipt from the sale at retail within the City of Fort Smith of all items which are subject to taxation under the Arkansas Sales Tax Act (Arkansas Gross Receipts Tax Act of 1941, Act 386 of the 1941 Acts of Arkansas), as said Act has heretofore or may hereinafter be amended, provided that the maximum local sales (gross receipts) and use tax on any single item of sale or use shall continue to be in the tax sum of \$25.00 which proceeds from such tax shall, subject to voter approval otherwise, continue to be designated for City streets, bridges and associated drainage?

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Vote by placing an X in the square opposite your choice.

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Question 1

FOR Continuation of a One Percent (1%) local Sales and Use Tax within the City for streets, bridges, and associated drainage .....

AGAINST Continuation of a One Percent (1%) local Sales and Use Tax within the City for streets, bridges, and associated drainage .....

Question 2

If the tax in Question 1 is approved, may Five Percent (5%) of the revenue be used for trails and bikeways?

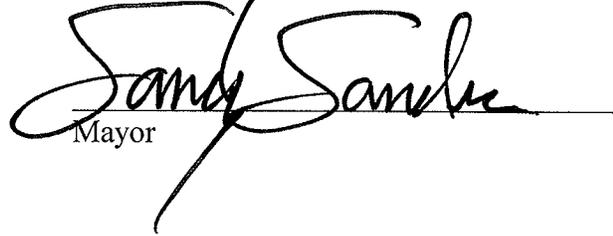
Yes .....

No .....

SECTION 3: The provisions of this Ordinance shall not be codified by the codifier of the City's ordinances.

This Ordinance adopted this 20<sup>th</sup> day of January, 2015.

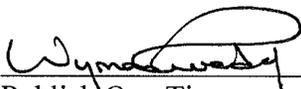
APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

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

Approved as to form:

  
\_\_\_\_\_  
Publish One Time

A RESOLUTION ENDORSING CONTINUATION OF THE ONE PERCENT SALES AND USE TAX FOR STREETS, BRIDGES AND ASSOCIATED DRAINAGE; AND ENDORSING THE ALLOCATION OF 5% OF THE PROCEEDS FROM SAID SALES AND USE TAX FOR THE CONSTRUCTION AND ENHANCEMENT OF TRAILS AND BIKEWAYS

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WHEREAS, the Board of Directors has called a special election on May 12, 2015 for continuing a one-cent sales and use tax first approved by voters in 1985, and then reauthorized by voters in 1995 and 2005 for the purpose of funding improvements to city streets, bridges, and associated drainage; and

WHEREAS, at said special election, upon approval of the continuation of the one percent sales and use tax for streets, bridges, and associated drainage, voters will separately be asked to consider allocation of 5% of the proceeds from such tax be used for the construction and enhancement of trails and bikeways throughout the city; and

WHEREAS, vehicular traffic infrastructure in the City of Fort Smith has been greatly enhanced by the proceeds of such sales and use tax for thirty years, and expanding the use of such tax to enhance other forms of surface transportation through the form of multi-use trails and bikeways will further advance economic development and quality of life initiatives in the City of Fort Smith.

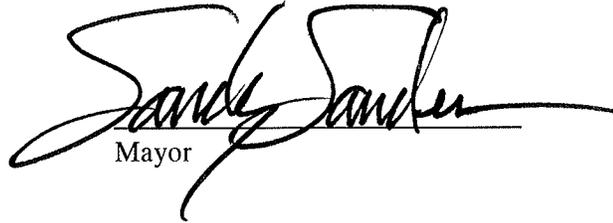
NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Fort Smith, Arkansas that:

Section 1. The Board of Directors of the City of Fort Smith endorses and supports the continuation of the one-cent sales and use tax for streets, bridges, and associated drainage, and urges the citizens of Fort Smith to vote "FOR" the renewal of such tax for a fourth 10-year period at the May 12, 2015 Special Election.

Section 2. The Board of Directors of the City of Fort Smith endorses and supports the allocation of 5% of the proceeds from said sales and use tax for the construction and enhancement of trails and bikeways in the city, and urges the citizens of Fort Smith to vote "FOR" the expansion of the specified uses of the aforementioned sales and use tax at the May 12, 2015 Special Election.

# Resolution No. R-6-15

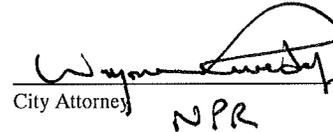
This Resolution adopted this 20<sup>th</sup> day of January, 2015.

  
Mayor

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
City Attorney  
NPR

**DEFEATED**

at the January 20, 2015 regular meeting

*Director Pennartz moved adoption, but ordinance died for lack of a second*

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 3 OF THE FORT SMITH MUNICIPAL CODE TO ESTABLISH FEES FOR DISPENSARY PERMITS FOR ALCOHOLIC BEVERAGES AND FOR PERMITS FOR SERVING MIXED DRINKS AND OTHER ALCOHOLIC BEVERAGES AND FOR OTHER PURPOSES

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

Section 1: Section 3-2 of the Fort Smith Municipal Code is amended to delete subsection (9).

Section 2: Section 3-31 of the Fort Smith Municipal Code is amended to read as follows:

- (a) Every person in the city engaged in manufacturing spirituous liquors or malt liquors shall pay an annual permit fee to the city as provided in Section 3-37.
- (b) Every person in the city engaged in the manufacture of vinous liquors shall pay an annual permit fee to the city as provided in Section 3-37.
- (c) Every person in the city engaged in the business of rectifying, blending or flavoring spirituous liquors shall pay an annual permit fee to the city as provided in Section 3-37.

Section 3: The Fort Smith Municipal Code is amended by adding Section 3-37 to read as follows:

Permits and Fee Schedule

License Type	Annual Fee
1a Wholesale Liquor Maximum	\$5,000.00
1b Wholesale Liquor Minimum	\$1,250.00
2 Wholesale Beer (single county)	\$500.00
3a Small Farm Winery Minimum (<5,000 gal)	\$100.00
3b Small Farm Winery Maximum (>5,000 gal)	\$200.00
4 Retail Beer	\$175.00
5 Combination Rest. Retail Beer & Wine	\$175.00

6a	H-M-R Mixed Drink Minimum	\$375.00
6b	H-M-R Mixed Drink Maximum	\$750.00
7a	Temporary Expansion Minimum	\$375.00
7b	Temporary Expansion Maximum	\$750.00
8	Private Club	\$750.00
9	Small Farm Winery - Retail	\$50.00
10	Small Farm Winery - Wholesale	\$50.00
11	Restaurant Wine	\$150.00
12	On Premises Wine	\$250.00
13	Temporary Restaurant Wine	\$25.00
14	Temporary Retail Beer	\$25.00
15	Temporary Spirituous Beverage	\$25.00
16	Retail Liquor	\$425.00
17	Military Service Club	\$375.00
18	Bed & Breakfast Private Club	\$38.00
19	Satellite Catering	\$250.00
20	Off Premises Catering	\$250.00
21	Large Attendance Facility	\$1,250.00
22	Post Exchange	\$500.00
23	Micro-brewery - Restaurant	\$375.00
24	Native Brewer	\$150.00
25	Beer Manufacturing	\$375.00
26	Wholesaler Support	\$1,000.00
27	Manufacturing Vinous Liquor	\$250.00
28	Liquor Distilling / Manufacturing	\$500.00
29	Brandy Distilling / ACA 3-4-602(h)(3)	\$125.00
30	Native Brandy / ACA 3-6-104	\$125.00
31	Micro-brewery Restaurant Distribution	\$100.00
32	Beer Festival	\$125.00
33	Native Beer - Retail	\$8.00
34	Sampling Each liquor / wine/beer	\$250.00
35	Sampling Combination liquor/wine/beer	\$500.00

Section 4: Section 3-74 of the Fort Smith Municipal Code is amended to read as follows:

The application for a permit required by the provisions of this division shall be accompanied by an annual permit fee in the amount as provided in Section 3-37.

Section 5: Section 3-77 is amended to read as follows:

An indemnity bond shall be required of each permittee under this division guaranteeing the permittee's faithful accounting for and prompt payment of the taxes becoming due under this division. Such bond shall be in an amount of one thousand dollars (\$1,000.00) with approved surety.

Section 6: Section 3-101(g) of the Fort Smith Municipal Code is amended to read as follows:

- (g) The annual fees for the permits required by subsection (c) and (f) above shall be:
- i. Hotel or motel having fewer than one hundred (100) rooms shall be in accordance with Section 3-37 (6a).
  - ii. Hotel or motel having one hundred (100) rooms or more shall be in accordance with Section 3-37 (6b).
  - iii. Large attendance facility shall be in accordance with Section 3-37 (21).
  - iv. Restaurant having seating capacity of less than one hundred (100) persons shall be in accordance with Section 3-37 (6a).
  - v. Restaurant having seating capacity of one hundred (100) or more persons shall be in accordance with Section 3-37 (6b).
  - vi. Satellite catering permit shall be in accordance with Section 3-37 (19).

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF January 2015.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED:

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

  
\_\_\_\_\_  
City Attorney  
Publish One Time

ORDINANCE NO. 8-15

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

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

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

Street Address: **723 NORTH 5<sup>TH</sup> STREET - LOT 7, BLOCK 1; GRIFFITH & NIX ADDITION**

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

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

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

SECTION 5: Emergency Clause. It is hereby found and declared by the Board of Directors that the dilapidated, unsanitary condition of the tracts of real property and improvements described herein constitute an immediate menace to the health, welfare and safety of the citizens of the City so that an emergency is hereby

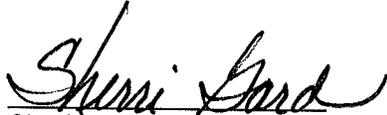
declared and that this ordinance shall be effective from and after the date of its passage.

This Ordinance adopted this 20<sup>th</sup> day of Jan. 2015.

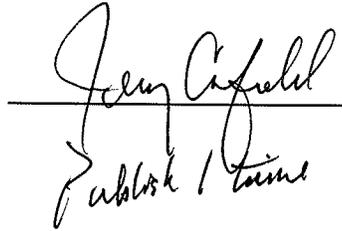
APPROVED:

  
Mayor

ATTEST:

  
City Clerk

Approved as to form:

  
Publish 1 time

ORDINANCE NO. 9-15

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE GENERAL FUND

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

There is hereby authorized an appropriation in the amount of \$84,000 from the unobligated balance of the General Fund (0101) to provide funding for the 2015 Steel Horse Rally, subject to execution of a services agreement containing the City's standard provisions.

THIS ORDINANCE ADOPTED THIS 20th DAY OF January, 2015.

APPROVED:

~~VETO~~  
MAYOR *Sam Sanchez*

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

*Janey Corfield*  
\_\_\_\_\_  
No Publication Required

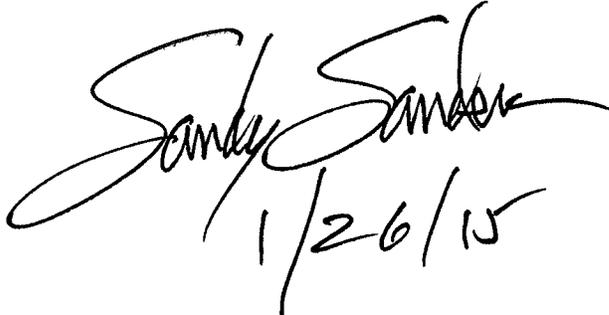
While supporting the concept of the Steel Horse Rally, I cannot justify the use of tax dollars for what I believe should be a private sector effort, just as Bikes, Blues and Barbecue is in Fayetteville.

The Board of Directors and staff devoted a great amount of time and effort to establish the 2015 budget. Every single department had funding requests reduced.

Additionally, the City has a system for organizations to complete an extensive application process to contract services for the City. The 2015 City budget for more than 20 organizations is \$145,800, a reduction of \$16,200 from last year. How can we allocate \$4,950 for the Crisis Center for Women or \$4,500 for the Children's Emergency Shelter, which went through the extensive review process by a panel of City residents, and then suddenly find an additional \$84,000 in the budget for a brand new start-up effort which is almost 60 percent of the budget for those organizations with performance histories.

Passing this ordinance also sets an unhealthy precedent, which has already manifested itself in notification by another new organization informing the City that substantial funds to support that event will be requested from the City.

I have vetoed this ordinance in the overall best interests of the City.



Sandy Sanders  
1/26/15

ORDINANCE NO. 10-15AN ORDINANCE AUTHORIZING THE MAYOR TO  
EXECUTE AGREEMENTS FOR CERTAIN SERVICES FOR  
INHABITANTS OF THE CITY OF FORT SMITH

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

SECTION 1: The Mayor is hereby authorized to execute that certain agreement with the **Fort Smith Museum of History** providing for the payment by the City to the Fort Smith Museum of History up to a maximum of **\$7,162** during calendar year 2015 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for cultural and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 2: The Mayor is hereby authorized to execute that certain agreement with the **Fort Smith Heritage Foundation** in the amount of actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the facilities up to a maximum of **\$8,100** during calendar year 2015 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for cultural and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 3: The Mayor is hereby authorized to execute that certain agreement with the **Fort Smith Symphony** providing up to a maximum of **\$9,000** during calendar year 2015 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for cultural and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 4: The Mayor is hereby authorized to execute that certain agreement with the **Fort Smith Regional Art Museum** providing up to a maximum of **\$9,145** during calendar year 2015 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for cultural and educational purposes to enhance and provide for

the health and welfare of the inhabitants of the City during the year 2015.

SECTION 5: The Mayor is hereby authorized to execute that certain agreement with the **Fort Smith Chorale** providing payment up to a maximum of **\$5,400** during calendar year 2015 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for cultural and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 13: The Mayor is hereby authorized to execute that certain agreement with the **Western Arkansas Ballet** providing for the payment by the city to the Western Arkansas Ballet in the amount of actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the facilities up to a maximum of **\$4,753** during calendar year 2015 for services provided to the City and its inhabitants, which services include the providing of programs for educational and recreational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 7: The Mayor is hereby authorized to execute that certain agreement with the **Fort Smith Little Theater** in the amount of actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the facilities up to a maximum of **\$5,040** during calendar year 2015 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for cultural and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 8: The Mayor is hereby authorized to execute that certain agreement with the **Fort Smith Boys and Girls Clubs** providing for the payment by the City to the Fort Smith Boys and Girls Clubs in the amount of actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the Fort Smith Boys and Girls Clubs facilities up to a maximum of **\$14,850** during calendar year 2015 for services provided to the City and its inhabitants, which services include the providing of programs for educational and recreational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 9: The Mayor is hereby authorized to execute that certain agreement with the **Girls Incorporated** providing for the payment by the City to Girls Incorporated in the amount of actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of Girls, Inc. facilities up to a maximum of **\$7,650** during calendar year 2015 for services provided to the City and its inhabitants, which services include the providing of programs for educational and recreational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 10: The Mayor is hereby authorized to execute that certain agreement with the **Lincoln Youth Center** providing payment up to a maximum of **\$10,350** during calendar year 2015 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for cultural and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 11: The Mayor is hereby authorized to execute that certain agreement with the **The First Tee** providing for the payment by the city to The First Tee in the amount of actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the facilities up to a maximum of **\$6,750** during calendar year 2015 for services provided to the City and its inhabitants, which services include the providing of programs for educational and recreational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 12: The Mayor is hereby authorized to execute that certain agreement with the **Gregory Kistler Treatment Center for Children** providing for the payment by the City to the Gregory Kistler Treatment Center for Children in the amount of the actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the Gregory Kistler Treatment Center for Children up to maximum of **\$4,050** during calendar year 2015 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for physically impaired individuals and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 13: The Mayor is hereby authorized to execute that certain agreement with **ARC for the River Valley** providing for the payment by the City to ARC for the River Valley up to maximum of **\$4,500** during calendar year 2015 for services which

services include the providing of programs for educational and recreational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 14: The Mayor is hereby authorized to execute that certain agreement with the **Next Step Day Room** providing for the payment of **\$4,950** during calendar year 2015 for services provided the City and its inhabitants, which services include the providing of facilities and programs for rehabilitation and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 15: The Mayor is hereby authorized to execute that certain agreement with **Girls Shelter**, providing for the payment by the City to Girls Shelter in the amount of actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the facilities up to a maximum of **\$4,050** during calendar year 2015 for services provided the City and its inhabitants, which services include the providing of facilities and programs for health and human service purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 113: The Mayor is hereby authorized to execute that certain agreement with **Reynolds Cancer Support House** providing for the payment by the City to Reynolds Cancer Support House in the amount up to maximum of **\$4,950** during calendar year 2015 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for health and human service purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 17: The Mayor is hereby authorized to execute that certain agreement with the **Crisis Intervention Center**, providing for the payment by the City to the Crisis Intervention Center, in the amount of actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of facilities up to a maximum of **\$4,950** during calendar year 2015 for services provided the City and its inhabitants, which services include the providing of facilities and programs for health and human service purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 18: The Mayor is hereby authorized to execute that certain agreement with the **Fountain of Youth Adult Day Care Center**, providing for the payment by the City to the Fountain of Youth Adult Day Care Center, in the amount of actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation up to a maximum of **\$4,050** during calendar year 2015 for services provided the City and its inhabitants, which services include the providing of facilities and programs for health and human service purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 19: The Mayor is hereby authorized to execute that certain agreement with the **Community Services Clearinghouse**, providing for the payment by the City to the Community Services Clearinghouse, of **\$4,950** during calendar year 2015 for services provided the City and its inhabitants, which services include the providing of facilities and programs for health and human service purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 20: The Mayor is hereby authorized to execute that certain agreement with the **River Valley Regional Food Bank**, providing for the payment by the City to the River Valley Regional Food Bank, in the amount of actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the facilities up to a maximum of **\$4,950** during calendar year 2015 for services provided the City and its inhabitants, which services include the providing of facilities and programs for health and human service purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 21: The Mayor is hereby authorized to execute that certain agreement with the **Fort Smith Museum of History** providing for the payment by the City to the Fort Smith Museum of History in the amount of the actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the Fort Smith Museum of History up to a maximum of **\$20,000** during calendar year 2015 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for cultural and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 22: The Mayor is hereby authorized to execute that certain agreement with **SRCA, Inc. Social Services** providing for the direct payment by the City to SRCA, Inc. Social Services of **\$176,207** during calendar year 2015 for services provided the City and its inhabitants, which services include the providing of facilities and programs for nutritional purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 23: The Mayor is hereby authorized to execute that certain agreement with the **Area Agency on Aging** providing for the payment by the City to the Area Agency on Aging of **\$50,000** during calendar year 2015 for services provided the City and its inhabitants, which services include the providing of facilities and programs for health and human service purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 24: The Mayor is hereby authorized to execute that certain agreement with the **Project Compassion** providing for the payment of **\$7,500** during calendar year 2015 for services provided the City and its inhabitants, which services include the providing of facilities and programs for rehabilitation and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 25: The Mayor is hereby authorized to execute that certain agreement with **The Steps Inc.** providing for the payment by the City to The Steps Inc. in the amount of the actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the Fort Smith Museum of History up to a maximum of **\$1,800** during calendar year 2015 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for cultural and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 213: The Mayor is hereby authorized to execute that certain agreement with **Good Samaritan Clinic** providing for the payment by the City to Good Samaritan Clinic in the amount up to maximum of **\$4,950** during calendar year 2015 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for health and human service purposes to enhance and provide for the

health and welfare of the inhabitants of the City during the year 2015.

SECTION 27: The Mayor is hereby authorized to execute that certain agreement with **The Hope Chest** providing for the payment by the City to The Hope Chest in the amount up to maximum of **\$900** during calendar year 2015 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for health and human service purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 28: The Mayor is hereby authorized to execute that certain agreement with **FS Children's Emergency Shelter** providing for the payment by the City to FS Children's Emergency Shelter in the amount up to maximum of **\$4,500** during calendar year 2015 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for health and human service purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2015.

SECTION 29: The Mayor is hereby authorized to execute that certain agreement with **Lincoln Childcare** providing for the payment by the City to Lincoln Childcare in the amount of the actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the Fort Smith Museum of History up to a maximum of **\$4,050** during calendar year 2015 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for cultural and educational purposes

SECTION 30: It is hereby declared and determined by the Board of Directors that the subject matters of the agreements authorized by Sections 1, 2, 3, 4, 5, 13, 7, 8, 9, 10, 11, 12, 13, 14, 15, 113, 17, 18, 19, 20, 21, 22, 23, 24, 25, 213, 27 and 28 and 29 above deal with providing services in an exceptional situation where competitive bidding procedures are not feasible so that such competitive bidding procedures are hereby waived with reference to such agreements.

SECTION 31: The authorizations set forth in Sections 1-28 above are deemed and declared to be severable. Any invalidity of one or more of the separate sections shall not affect the validity of the other sections of this Ordinance.

PASSED AND APPROVED this 20 day of January, 2015.

APPROVED:

  
Mayor

ATTEST:

  
City Clerk

Approved as to form:

  
No Publication Required

RESOLUTION R-7-15

A RESOLUTION AUTHORIZING THE ACQUISITION OF REAL  
PROPERTY INTERESTS FOR THE  
TOWN BRANCH DRAINAGE IMPROVEMENTS, PHASE III  
PROJECT NO. 11-06-B

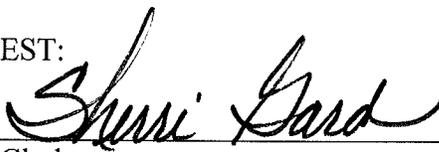
BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT  
SMITH, ARKANSAS, THAT:

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 Town Branch Drainage Improvements, Phase III  
project:

<u>TRACT</u>	<u>OWNER</u>	<u>APPRAISED VALUE</u>
1	Branden J. Adams	\$ 408.00
2	Charles & Linda Burford	\$ 1,448.00
3	The Reclamation Center, Inc.	\$ 4,163.00
5	Darrin & Glenda G. Bradley	\$ 5,597.00
8	Burggraf Corporation	\$ 4,425.00
10	Fort Smith HMA, LLC	\$ 6,672.00
11	Kansas City Southern Railroad	\$ 7,986.00

This resolution adopted this 20<sup>th</sup> day of January, 2015.

APPROVED:  
  
Mayor

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

Approved as to Form

  
\_\_\_\_\_  
 No Publication Required

RESOLUTION R-8-15

**A RESOLUTION TO ACCEPT THE BID AND AUTHORIZE A  
CONTRACT FOR THE 2013 DRAINAGE IMPROVEMENTS, PHASE A  
PROJECT NO. 13-06-A**

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

SECTION 1: The bid of Township Builders, Inc. received January 13, 2015 for the 2013 Drainage Improvements, Phase A, Project No. 13-06-A, in the amount of \$1,943,072.00 be accepted.

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

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

This resolution adopted this 20<sup>th</sup> day of January, 2015.

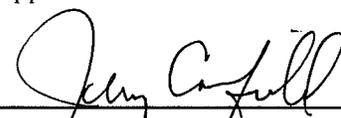
APPROVED:

  
Mayor

ATTEST:

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

Approved as to Form

  
\_\_\_\_\_  
 No Publication Required

RESOLUTION NO. R-9-15

**RESOLUTION AUTHORIZING EXECUTION OF SPACE USE AGREEMENT WITH YOUNG ACTORS GUILD FOR SPACE ON THE MAIN LEVEL OF THE CONVENTION CENTER ANNEX**

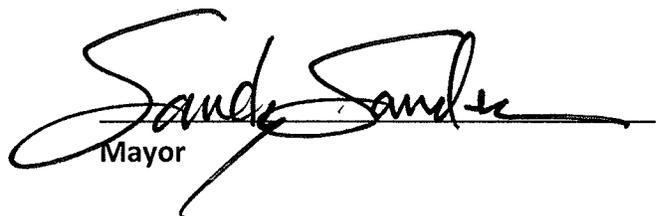
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**BE IT RESOLVED BY THE BOARD OF DIRECTIONS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:**

The Mayor is authorized to execute the attached Space Use Agreement with the Young Actors Guild for a portion of the main (1<sup>st</sup>) level of the Convention Center Annex, located at 801 Carnall Avenue, Fort Smith, AR 72901. The leased space is to be solely utilized for program preparation, auditions, and rehearsals for the Young Actors Guild for the period of February 1<sup>st</sup>, 2015 through December 31<sup>st</sup>, 2015.

THIS RESOLUTION ADOPTED this 20<sup>th</sup> day of January, 2015.

APPROVED:

  
Mayor

ATTEST:

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

Approved as to form:

  
\_\_\_\_\_  
NPR

RESOLUTION NO. R-10-15

RESOLUTION ACCEPTING BID FOR THE PURCHASE OF A  
TWO TON DUMP TRUCK WITH SNOW PLOW

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

The bid, as indicated by enclosure on the attached Bid Tabulation  
**5303-SF-BA** for the purchase of dump truck with snow plow from Carco  
International for \$129,379, is accepted.

This Resolution adopted this 20<sup>th</sup> day of January, 2015.

APPROVED:

Sandy Sanda  
MAYOR

ATTEST:

Sherril Gard  
CITY CLERK

Approved as to form.

[Signature]

No Publication

Required

Publish \_\_\_ Times

5E

**Inter office Memorandum**

TO: Ray Gosack, City Administrator  
FROM: Alie Bahsoon, Purchasing Manager *AB*  
SUBJECT: Dump Truck with Snow Plow  
DATE: January 15, 2015  
BID TAB: 6305-SF-BA

---



Attached you will find the bid tabulation for the purchase of a two ton dump truck with snow plow for use by the Street Department, Street Drainage Division (Program 5303). As indicated in the enclosed memorandum from Mr. Greg Riley, this truck will replace a 2000 GMC dump truck (Asset407) which is slated to be sold at the annual city auction.

Funding for this truck has been appropriated for in the 2015 Budget in the Sinking Fund Account in the amount of \$130,000.

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

Please let me know if you should have any questions.

# 5E

<b>Tabulation of Bids - City of Fort Smith</b>					
<b>TWO TON DUMP TRUCK WITH SNOW PLOW</b>					
<b>Bid Tab #5303-SF-MR</b>					
<b><u>Description</u></b> <b><u>VENDOR</u></b>	<b>Year</b>	<b>Make</b>	<b>Model</b>	<b>Delivery Terms</b>	<b>Purchase Price</b>
Carco International ✓ Fort Smith, AR	2015	International	Workstar 1HC	180 days	\$129,379
Shiplely Motors Fort Smith, AR	2015	Hino	338	210-240 days	\$125,134 *
Shiplely Motors Fort Smith, AR	2015	Mack	GU 432	210-240 days	\$140,557

All units quoted with a 10 foot, 5 cubic yard Henderson dump body and 10 foot Henderson snow plow

\*Does not meet bid specifications

✓ Bid Award

## Interoffice Memorandum

**TO:** Ray Gosack, City Administrator  
**FROM:** Greg Riley, Director of Street/Traffic Control  
**SUBJECT:** Dump Truck with Snow Plow Purchase  
**DATE:** January 16, 2015



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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 new trucks purchased in the 2013 budget with new spreader equipment and plows. We have a third truck in production from the 2014 budget that should be on the yard within a month. We are currently running two older trucks with older spreader equipment along with the two new trucks. This truck that was approved for the 2015 budget will complete our fleet of four new trucks that are designed and outfitted to handle snow and ice events much more efficiently keeping trucks on the road with a significant reduction in trips back to the yard to refill with sand and salt.

This truck completes the goal of having four trucks with high capacity automated spreaders and heavy duty plows. This truck will also be used in the day to day work of the drainage department.

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 \$129,379 was the lowest bid meeting our specifications. Funds are available in the Street Department sinking fund for this purchase.

RESOLUTION NO. R-11-15

RESOLUTION ACCEPTING BID FOR THE PURCHASE OF A  
BACKHOE LOADER

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

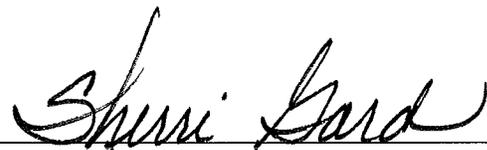
The bid, as indicated by enclosure on the attached Bid Tabulation  
**5610-302-BA** for the purchase of backhoe loader from Scott Equipment for \$77,357,  
is accepted.

This Resolution adopted this 20<sup>th</sup> day of January, 2015.

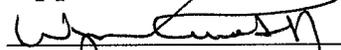
APPROVED:

  
MAYOR

ATTEST:

  
CITY CLERK

Approved as to form:

  
\_\_\_\_\_

No Publication

Required

Publish \_\_\_\_\_ Times

5F

**Inter office Memorandum**

TO: Ray Gosack, City Administrator  
FROM: Alie Bahsoon, Purchasing Manager AB  
SUBJECT: Backhoe Loader Bid Tabulation  
DATE: January 15, 2015  
BID TAB: 5610-302BA

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Attached you will find the bid tabulation for the purchase of a backhoe loader for use by the Water Line Maintenance Division of the Utilities Department. This machine will be replacing a 1997 John Deere 310 backhoe (Asset 428).

In December of 2005, the Board of Directors approved Ordinance 93-05, thereby authorizing the city to participate in the State Cooperative Purchasing program. This process has enabled the city to take advantage of other negotiated contracts that the State of Arkansas currently participates in.

One of these contracts is the National Joint Powers Alliance (NJPA), a national municipal contracting agency offering national contract purchasing solutions by facilitating and awarding national competitively bid contracts. Because of their contract, local governments nationwide are permitted to purchase through their cooperative purchasing program.

The Water Line Maintenance Department (Program 5610) has budgeted \$77,500 for this purchase for which funding has been appropriated for in the 2014 City Budget as a Capital Outlay line item (5610-302). Because of the NJPA contract (No. 060311), bids were not necessary but we still acquired pricing from the vendors noted in the bid tabulation since they participate in the NJPA program as well. The original bid quoted on December 15<sup>th</sup> from Scott Equipment was under \$75,000. Under our procurement rules, board approval is not necessary. The sales representative made a mistake with the pricing and notified me on January 7<sup>th</sup> of the new pricing of \$77,357 which requires board approval (for purchases over \$75,000). It is for this reason that this resolution is being presented to the board and requiring approval from the 2014 budgeted funds.

Please be advised that this purchase fulfils all of the purchasing obligations as mandated by both state and local purchasing requirements; I am therefore recommending that the Board accept and approve the bid submitted by Scott Equipment as noted by enclosure on the attached bid tabulation.

Please let me know if should require any additional information.

# 5F

<b>Tabulation of Bids - City of Fort Smith</b>						
<b>BACKHOE LOADER</b>						
<b>Bid Tab #5610-302-BA</b>						
<b><u>Description</u></b>	<b>Year</b>	<b>Make</b>	<b>Model</b>	<b>Delivery Terms</b>	<b>Purchase Price</b>	
<b><u>VENDOR</u></b>						
Scott Equipment ✓ Fort Smith, AR	2015	Case	580SN-T4	60-90 days		\$77,357
Stribling Equipment Fort Smith, AR	2015	John Deere	310SL	60-90 days		\$82,900
JA Riggs Fort Smith, AR	2015	Caterpillar	420F2	60-90 days		\$83,707

\*All bidders quoted NJPA Pricing

✓ Bid Award



01/15/14  
City of Fort Smith, AR

Attn: Alie Bahsoon, Purchasing Manager  
RE: Revised Quote

Quote New Case 580SN-T4, 2WD  
Standard Transmission  
Standard Equipment  
Pilot Controls with Pwr Lift  
24" Hi-Capacity Bkt  
Uni-Direct w/Pilot Ctr.  
Flip -over / Stab. Pads Comb  
82" Loader Bkt Long Lip w/ edge  
Cab, LH door with Heater & AC  
ROPS/FOPS canopy  
Radio  
Deluxe air Susp. Vinyl seat  
Engine Block Heater  
Rotating Beacon  
Battery Disc / Jump Start  
Dual Batteries  
Gripper Teeth Ext.  
Warranty 1 year , 2 year / 2000 hour Extended Warranty

NJPA Price \$ 77,357.00

**Sales Representative**

**David Lee**  
**Scott Equipment**  
**479-651-5331**

ORDINANCE NO. 11-15

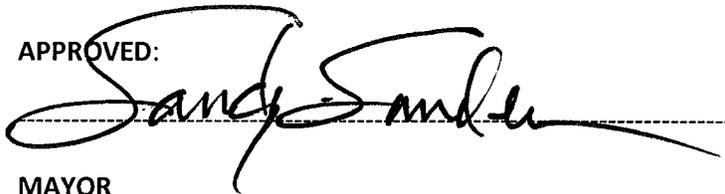
**AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT FOR SERVICE BETWEEN THE CITY OF FORT SMITH, ARKANSAS, AND BAIR ANALYTICS, INC., BY WHICH BAIR ANALYTICS, INC., WILL PROVIDE CRIME ANALYSTS, TECHNICAL PERSONNEL, ANALYTICAL SOFTWARE AND SERVICES FOR CRIME ANALYSES FOR THE FORT SMITH POLICE DEPARTMENT.**

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

The Mayor of Fort Smith is hereby authorized to sign a contract with Bair Analytics, Inc., whereby Bair Analytics, Inc., is to provide crime analysts, technical personnel, analytic software and services to the City of Fort Smith through the Fort Smith Police Department. A copy of the contract is attached.

This ordinance passed and approved this 20<sup>th</sup> day of Jan., 2015.

APPROVED:



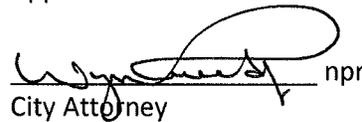
MAYOR

ATTEST:



CITY CLERK

Approved as to form

 npr  
City Attorney

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

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

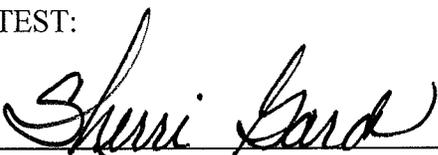
Partial payment number nine to BRB Contractors, Inc., in the amount of  
\$864,456.60 for the construction of the Mill Creek Pump Station and Equalization Tank,  
Project Number 10-01-C1, is hereby approved.

This Resolution adopted this 20<sup>th</sup> day of January 2015.

APPROVED:

  
Mayor

ATTEST:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
npr

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT OFFER MADE BY PROPERTY OWNERS FOR THE ACQUISITION OF REAL PROPERTY INTERESTS FOR THE LEE CREEK RESERVOIR WATER SUPPLY PROJECT

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

The City Administrator is hereby authorized to execute an offer and acceptance made by each of the following property owners:

Tract DAR 37	Donald W. Nolan & Charlotte A. Nolan Family Living Trust	\$113,000.00
Tract DAR 37A	Bradley Nolan & Lori Nolan	\$ 45,000.00
Tract Dar 38	Peter Hyde & Valerie Hyde	\$ 37,000.00

and make payment for same, and any applicable closing costs, in connection with the acquisition of the real property for the Lee Creek Reservoir Water Supply Project, said property being located in Section 8, Township 12 North, Range 27 East, Sequoyah County, Oklahoma.

This Resolution adopted this 20<sup>th</sup> day of January 2015.

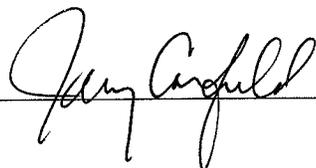
APPROVED:

  
Mayor

ATTEST:

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

APPROVED TO FORM:

  
\_\_\_\_\_  
npr

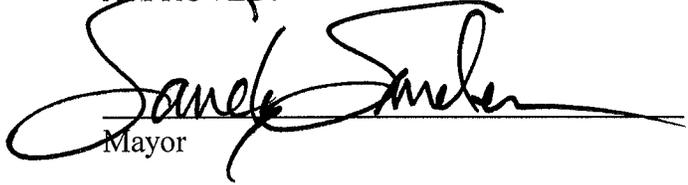
RESOLUTION AUTHORIZING CHANGE ORDER NUMBER TWO WITH  
GOODWIN & GOODWIN, INC., FOR THE MASSARD  
INTERCEPTOR ACCESS IMPROVEMENTS

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

Change Order Number Two to the contract with Goodwin & Goodwin, Inc., for the  
construction of the Massard Interceptor Access Improvements, Project 13-03-C1, adding 32 days  
to the contract time, is hereby approved.

This Resolution adopted this 20<sup>th</sup> day of January 2015.

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
npr

RESOLUTION ACCEPTING THE PROJECT AS COMPLETE AND AUTHORIZING  
FINAL PAYMENT TO GOODWIN & GOODWIN, INC., FOR THE  
MASSARD INTERCEPTOR ACCESS IMPROVEMENTS

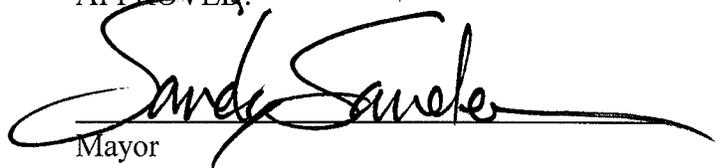
BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT  
SMITH, ARKANSAS, that:

SECTION 1 The construction of the Massard Interceptor Access Improvements, Project  
Number 13-03-C1, is hereby accepted as complete.

SECTION 2: Final payment to Goodwin & Goodwin, Inc., in the amount of \$12,549.63,  
is hereby approved.

This Resolution adopted this 20<sup>th</sup> day of January 2015.

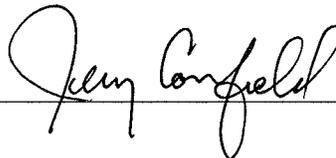
APPROVED:

  
Mayor

ATTEST:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
npr

RESOLUTION AUTHORIZING AMENDMENT NUMBER ONE TO AUTHORIZATION NUMBER TWO WITH HAWKINS-WEIR ENGINEERS, INC., FOR ENGINEERING SERVICES FOR THE MILL CREEK INTERCEPTOR IMPROVEMENTS - PHASE II

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

SECTION 1: Amendment Number One to Authorization Number Two under the agreement with Hawkins-Weir Engineers, Inc., providing engineering construction phase services for the Mill Creek Interceptor Improvements - Phase II, Project Number 12-12-EC1, is hereby approved.

SECTION 2: The Mayor is hereby authorized to execute Amendment Number One in the amount of \$68,000.00, for construction phase services, adjusting Authorization Number Two to an amount of \$233,000.00.

This Resolution adopted this 20<sup>th</sup> day of January 2015.

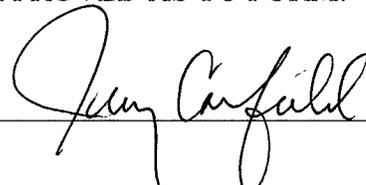
APPROVED:

  
Mayor

ATTEST:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
npr

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH  
HAWKINS WEIR ENGINEERS, INC., FOR PROVIDING PRELIMINARY  
ENGINEERING SERVICES ASSOCIATED WITH THE "P" STREET  
BASIN INTERCEPTOR SEWER CAPACITY IMPROVEMENTS

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

SECTION 1: An Agreement with Hawkins Weir Engineers, Inc., for providing preliminary engineering services associated with the "P" Street Basin Interceptor Sewer Capacity Improvements, Project 15-01-ED1 for Sub-Basin P002 & P003 Capacity Improvements and Basin 10 & 14 Capacity Improvements, Phase I, is hereby approved.

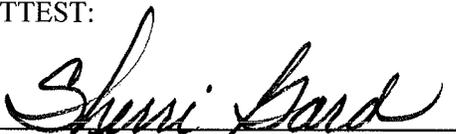
SECTION 2: The Mayor is hereby authorized to execute an Agreement for professional engineering services in the amount of \$396,500.00.

This Resolution adopted this 20<sup>th</sup> day of January 2015.

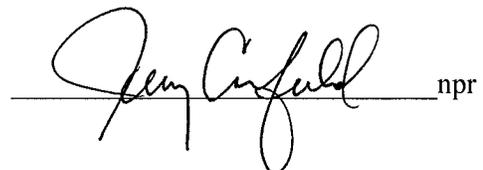
APPROVED:

  
Mayor

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
npr