

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  
March 3, 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 Phil Redding, River of Live Fellowship

### **ROLL CALL**

- All present
- Vice-Mayor Kevin Settle 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 FEBRUARY 17, 2015 REGULAR MEETING**

Unanimously approved as written

### **ITEMS OF BUSINESS:**

1. Items regarding rates for services of the sanitary sewer system ~ Lorenz/Lau placed on agenda at the February 24, 2015 study session ~
  - A. Introduction of an ordinance to provide for rates for services of the sanitary sewer system and superseding ordinances in conflict herewith  
Formal introduction of ordinance only.

- B. Resolution setting public hearing regarding proposed rates for sanitary sewer services and authorizing publication of a notice of said public hearing  
*Approved 7 in favor, 0 opposed / Resolution No. R-39-15*
2. Ordinance amending Ordinance No. 71-11 to amend disinterment fees at Oak Cemetery  
*Approved 7 in favor, 0 opposed / Ordinance No. 20-15*
3. Consent Agenda
- A. Resolution to accept the bid and authorize a contract for the 2015 Drainage Improvements, Phase A, Project No. 15-06-A (\$817,504.00 / *Engineering Department / Budgeted – Sales Tax Program Fund*)  
*Approved 6 in favor, 0 opposed, 1 abstention (Catsavis) / Resolution No. R-40-15*
- B. Resolution approving and authorizing the Mayor to execute a trade contract for materials and services related to the construction of an aquatics facility at Ben Geren Regional Park (*Parrot Island Waterpark*) (\$79,000.00 / *Parks Department / Budgeted – 2012 Sales Tax Bonds*)  
*Approved 6 in favor, 1 opposed (Pennartz) / Resolution No. R-41-15*
- C. Resolution authorizing the execution of a non-residential solid waste collection and disposal permit and agreement with Norris Services & Construction, Inc.  
*Approved 7 in favor, 0 opposed / Resolution No. R-42-15*
- D. Resolution accepting bid for purchase of a roll-off truck (\$185,866.29 / *Sanitation Department / Budgeted – Program 6307 Sinking Fund*)  
*Approved 6 in favor, 1 opposed (Pennartz) / Resolution No. R-43-15*
- E. Resolution authorizing Amendment No. 1 to Authorization No. 2 with Hawkins-Weir Engineers, Inc. for the Neighborhood Water System Improvements – Haven Hill and North “K” Street (\$16,500.00 / *Utility Department / Budgeted – 2008 Revenue Bonds*)  
*Approved 7 in favor, 0 opposed / Resolution No. R-44-15*
- F. Resolution accepting the project as complete and authorizing final payment to Brothers Construction, Inc. for the Neighborhood Water System Improvements - Haven Hill and North “K” Street (\$52,297.97 / *Utility Department / Budgeted – 2008 Revenue Bonds*)  
*Approved 7 in favor, 0 opposed / Resolution No. R-45-15*

**OFFICIALS FORUM ~ presentation of information requiring no official action**

*(Section 2-36 of Ordinance No. 24-10)*

➤ Mayor

➤ Directors

➤ City Administrator

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**ADJOURN**

6:32 p.m.

A RESOLUTION SETTING PUBLIC HEARING REGARDING  
PROPOSED RATES FOR SANITARY SEWER SERVICES AND  
AUTHORIZING PUBLICATION OF A NOTICE OF SAID PUBLIC HEARING

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

SECTION 1: A public hearing of the Board is hereby scheduled to be held at the Fort Smith Public Schools Service Center, 3205 Jenny Lind Rd., Building B, Fort Smith, Arkansas at 6:00 p.m. on Tuesday, March 17, 2015, at which public hearing all users of the sanitary sewer system of the City of Fort Smith and owners of properties served thereby, together with other interested persons, shall have the opportunity to be heard concerning the proposed rates and charges for the services of the sanitary sewer system of the City of Fort Smith.

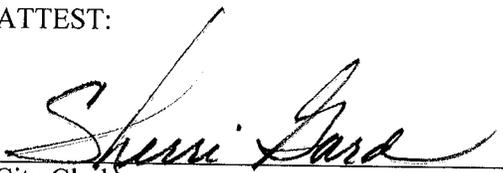
SECTION 2: The City Administrator and the City Clerk are hereby authorized and directed to cause a notice of the hearing set by Section 1, which notice shall include a schedule of the proposed rates or charges for the sanitary sewer system of the City of Fort Smith, to be published one time in the Times Record newspaper at least ten (10) days prior to the public hearing scheduled for March 17, 2015.

This Resolution adopted this 3<sup>rd</sup> day of March, 2015.

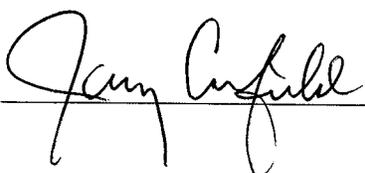
APPROVED:

Vice Mayor 

ATTEST:

  
City Clerk

Approved As To Form:

 npr

ORDINANCE NO. 20-15

AN ORDINANCE AMENDING ORDINANCE NO. 71-11 TO  
AMEND DISINTERMENT FEES AT OAK CEMETERY

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

SECTION 1: The first paragraph of Section 1 of Ordinance 71-11 is hereby amended as follows:

The fee for the disinterment of any person, other than an infant, shall be the sum of \$1,000.00 and any additional costs directly related to the disinterment. The fee for the disinterment of any infant shall be the sum of \$300.00 and any additional costs directly related to the disinterment. The fee for the disinterment of any cremains shall be the sum of \$300.00 and any additional costs directly related to the disinterment.

SECTION 2: Emergency Clause. An emergency is hereby declared to exist relating to the appropriateness of fees for identified services at Oak Cemetery so that the immediate effectiveness of this Ordinance is needed to adequately provide for the health, safety and welfare of the inhabitants of the City of Fort Smith. Therefore, this Ordinance shall be in full force and effect upon and after its date of passage.

SECTION 3: The codifier of the City's Ordinance may exercise the codifier's discretion in determining whether to codify the provisions of this Ordinance in Section 7-30, or other section, of the Fort Smith Municipal Code.

Passed and approved this 3<sup>rd</sup> day of March, 2015.

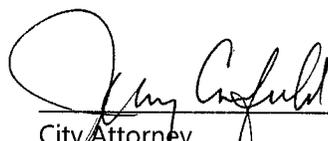
APPROVED:

  
Vice-Mayor

ATTEST:

  
City Clerk

Approved as to form:

  
City Attorney  
Publish 1 Time

RESOLUTION R-40-15

**A RESOLUTION TO ACCEPT THE BID AND AUTHORIZE A  
CONTRACT FOR THE 2015 DRAINAGE IMPROVEMENTS, PHASE A  
PROJECT NO. 15-06-A**

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

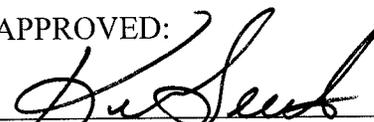
SECTION 1: The bid of Steve Beam Construction, Inc. received February 24, 2015 for the 2015 Drainage Improvements, Phase A, Project No. 15-06-A, in the amount of \$817,504.00 be accepted.

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

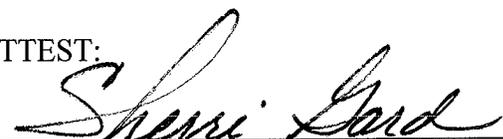
SECTION 3: Payment for construction authorized by Section 1 is hereby authorized from the Sales Tax Fund (1105).

This resolution adopted this 3<sup>rd</sup> day of March, 2015.

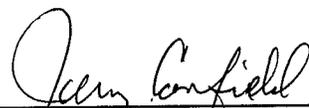
APPROVED:

  
Vice-Mayor

ATTEST:

  
City Clerk

Approved as to Form

  
 No Publication Required

RESOLUTION NO. R-41-15

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A TRADE CONTRACT FOR MATERIALS AND SERVICES RELATED TO THE CONSTRUCTION OF AN AQUATICS FACILITY AT BEN GEREN REGIONAL PARK

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WHEREAS, Sebastian County and the City of Fort Smith, as owners, jointly are constructing a recreational aquatics park at Ben Geren Regional Park; and

WHEREAS, Sebastian County and the City of Fort Smith have contracted with Flintco, LLC ("Flintco") to serve as Construction Manager for the construction of the recreational aquatics park; and

WHEREAS, sealed bids were solicited for the various trade contracts for materials and services related to the construction of the recreational aquatics park, and the bids were opened and read aloud in public on December 30 at 2:00 p.m. in the Sebastian County Courthouse located in Fort Smith; and

WHEREAS, Flintco has vetted all bids opened at the public bid opening and has recommended to Sebastian County and the City of Fort Smith a lowest responsible bidder for each of the trade contracts.

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

Section 1: The City of Fort Smith hereby approves the following identified trade contract in the designated amount for the designated materials and services. The Mayor is hereby authorized to execute, his signature being attested by the City Clerk, trade contract:

for Artificial Palm Trees materials and services with Flintco, LLC of Springdale, Arkansas in the amount of \$79,000.00;

Section 2. The City of Fort Smith, acting jointly with Sebastian County, hereby assigns for management, implementation and enforcement purposes the trade contracts approve by Section 1 above to Flintco pursuant to the provisions of Section 2.3.2.1 of the contract of Sebastian County and the City of Fort Smith with Flintco.

This Resolution adopted this 3<sup>rd</sup> day of March, 2015.

APPROVED:

Vice-   
Mayor

ATTEST:

  
City Clerk

APPROVED AS TO FORM

 npr

RESOLUTION NO. R-42-15

**A RESOLUTION AUTHORIZING THE EXECUTION OF A NON-RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL PERMIT AND AGREEMENT WITH NORRIS SERVICES & CONSTRUCTION, INC**

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

The Mayor, his signature attested by the City Clerk, is hereby authorized to execute the attached Non-Residential Solid Waste Collection and Disposal Permit and Agreement with Norris Services & Construction, Inc.

This resolution adopted this 3<sup>rd</sup> day of March, 2015.

APPROVED:

*[Signature]*  
VICE-MAYOR

ATTEST:

*[Signature]*  
CITY CLERK

Approved as to form:

*[Signature]*  
 No Publication Required  
 Publish \_\_\_ Times

RESOLUTION NO. R-4315

RESOLUTION ACCEPTING BID FOR THE PURCHASE OF  
A ROLL-OFF TRUCK

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

The bid, as indicated by enclosure for the purchase of a roll-off truck from Shipley Motor Equipment Company for \$185,866.29, is accepted.

This Resolution adopted this 3<sup>rd</sup> day of March, 2015.

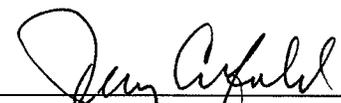
APPROVED:

  
VICE-MAYOR

ATTEST:

  
CITY CLERK

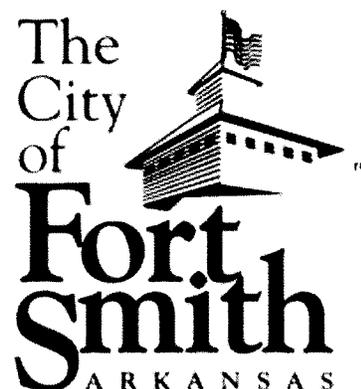
Approved as to form:

  
No Publication Required

**Interoffice Memorandum**

**TO:** Ray Gosack, City Administrator  
**COPY TO:** Baridi Nkokheli, Director of Sanitation  
**FROM:** Alie Bahsoon, Purchasing Manager  
**SUBJECT:** Purchase of Roll-Off Truck  
**DATE:** February 25, 2015  
**BID TAB:** N/A

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In March of 2011, bids were solicited for the purchase of a roll-off truck and per Resolution R-60-11, the bid was awarded to Shipley Motor Equipment (“Shipley”) of Fort Smith, Arkansas.

In our bid document (available in Purchasing), there was a provision allowing the City to exercise an option to renew the contract with Shipley Motor for four (4) consecutive one (1) year periods under the terms and conditions of the bid. This renewal was contingent upon a mutual agreement between Shipley and the City. Additionally, Shipley was advised that a price adjustment was allowable upon giving the City a thirty (30) day written notice. Shipley has met this criteria and advised us of a \$20,294.52 price increase for a **2016** model truck (Mack GU713). The last purchase made for a similar truck was two years ago for a 2013 model for \$165,571.77.

The Roll-Off Collection Division of the Department of Sanitation (Program 6307) has budgeted \$174,500 for this purchase for which funding has been appropriated for in the 2015 City Budget in the “Reserve for Equipment-Sinking Fund Account”. You will find attached a memorandum from the Department of Sanitation with additional information about this purchase.

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 enclosed resolution be approved.

If you should require any additional information, please let me know.



## MEMORANDUM

February 27, 2015

To: Ray Gosack, City Administrator

From: T. Baridi Nkokheli, Director

Subject: Truck Purchases – Roll-Off Truck

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Since 2005, we have instituted a vehicle replacement schedule in our Industrial Collections Division (program 6307) requiring vehicle replacement after 7-10 years, depending on condition. For 2015, we budgeted \$174,500 for the replacement of a 2006 Mack roll-off truck (asset 91). Asset 91 has been driven 191,180 miles, has hydraulic leaks, requires new kingpins and bushings, and requires a new tilt-bed hoist. Last year, we spent in excess of \$6,500 for repairs on this asset and anticipate continued repairs over and above normal maintenance within this year if it is continued to be used within our fleet of mainline trucks. Provided the purchase of a new truck is approved, asset 91 will remain in the fleet as a backup/spare truck. An existing backup truck with a blown engine, asset 62, will be removed from the fleet.

The price increase is acceptable since the average year model increase is roughly \$8,500 and is also due to the continued volatility in the steel industry markets and the new clean-air requirements imposed by the EPA on truck manufacturers. The budget shortfall of \$11,366 is available and will be supplemented from the sinking fund balance.

Please contact me should you have any questions or would like additional information regarding this request.



# CHASSIS SPECIFICATIONS SUMMARY

February 19, 2015

## 2016 MACK GU713

REFUSE (NON LOADER). On/Off Hwy  
STRAIGHT TRUCK WITHOUT TRAILER

<b>Engine</b>	MACK MP7-405M 405HP	<b>Transmission</b>	4500-RDS-6
		<b>Clutch</b>	OMIT CLUTCH
<b>Front Axle</b>	18,000# FXL18	<b>Rear Axle</b>	46,000# RT46-160 Ratio 4.89
<b>Suspension</b>	18,000#	<b>Suspension</b>	46,000# HMX460
<b>Tires</b>	Front: 11R22.5 Rear: 11R22.5	<b>Wheels</b>	22.5x8.25 STEEL DISC (10-HOLE) 22.5x8.25 STEEL DISC (10 HOLE)
<b>Ratings</b>	GVW: 58,350#	<b>Fuel Tanks</b>	LH: 66gal
<b>Fifth Wheel</b>		<b>Sleeper</b>	

### PRICING SUMMARY

	<u>List Price</u>
<b>CHASSIS BASE</b>	<b>\$186,990.00</b>
Factory Options	\$27,495.00
Allison Pricing	\$13,281.00
Freight	\$2,100.00
Less Additional Factory Rebate	
Sales Allowances	
<b>TOTAL FACTORY</b>	<b>\$229,866.00</b>
Locally Installed Options	\$65,821.00
Soft Products/Bulldog Protection Plans	\$0.00
<b>TOTAL FACTORY &amp; LOCAL</b>	<b>\$295,687.00</b>
Less Customer Discount from List	\$109,568.41
<b>SELLING PRICE (Excluding Taxes/Fees/Trade)</b>	<b>\$186,118.59</b>
Less Trade Allowances per New Vehicle	\$0.00
<b>QUOTED PRICE OR TRADE DIFFERENCE</b>	<b>\$186,118.59</b>
Surcharge	\$0.00
Net FRET or Canadian GST Taxes	\$0.00
Tire Tax Credit (Municipal Only)	(\$252.30)
Sales/Usage Taxes	\$0.00
License/Title/Etc.	
Misc Fees not subject to FRET	
<b>ACQUISITION COST (Include Trade if applies)</b>	<b>\$185,866.29</b>
Less Down Payment	
<b>BALANCE DUE Per Unit</b>	<b>\$185,866.29</b>
<b>PRICE (Total Order)</b>	<b>\$185,866.29</b>
<b>BALANCE DUE (Total Order)</b>	<b>\$185,866.29</b>

<b>Total Quantity:</b> 1	<b>Estimated Total Weight:</b> 18,854#	<b>Reference#:</b> AHPZ009016A
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X \_\_\_\_\_  
 Prepared For: Customer Signature Date  
 CITY OF FT. SMITH  
 9701 HWY 45  
 FORT SMITH, AR 72916  
 Phone: --  
 Fax: --

X \_\_\_\_\_  
 Presented By: Dealer Signature Date  
 JAMES CAREY  
 SHIPLEY MOTOR  
 2800 WHEELER AVE.  
 FT. SMITH, ARKANSAS 72901  
 479-782-8281  
 james.carey@shipleymotor.com

RESOLUTION AUTHORIZING AN AMENDMENT NUMBER ONE TO AUTHORIZATION NUMBER TWO WITH HAWKINS-WEIR ENGINEERS, INC., FOR THE NEIGHBORHOOD WATER SYSTEM IMPROVEMENTS – HAVEN HILL AND NORTH K STREET

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., to provide construction phase services for the Neighborhood Water System Improvements – Haven Hill and North K Street, Project Number 10-03-EC1, is hereby approved.

SECTION 2: The Mayor is hereby authorized to execute Amendment Number One in the amount of \$16,500.00, for construction phase services, adjusting Authorization Number Two to amount of \$111,500.00.

This Resolution adopted this 3<sup>rd</sup> day of March 2015.

APPROVED:

[Signature]  
Vice-Mayor

ATTEST:

[Signature]  
City Clerk

APPROVED AS TO FORM:

[Signature] npr

RESOLUTION ACCEPTING THE PROJECT AS COMPLETE, AND AUTHORIZING FINAL PAYMENT TO BROTHERS CONSTRUCTION, INC., FOR THE NEIGHBORHOOD WATER SYSTEM IMPROVEMENTS – HAVEN HILL AND NORTH K STREET

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

SECTION 1: The construction of Neighborhood Water System Improvements - Haven Hill and North K Street, Project Number 10-03-C1, is accepted as complete.

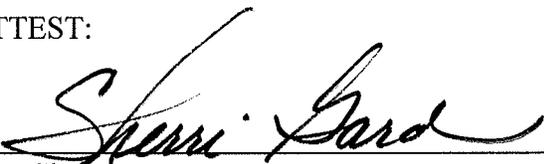
SECTION 2: Final payment to Brothers Construction, Inc., in the amount of \$52,297.97, is hereby approved.

This Resolution adopted this 3<sup>rd</sup> day of March 2015.

APPROVED:

  
Vice - Mayor

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

 npr