

Mayor – Sandy Sanders
Acting City Administrator – Jeff Dingman
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
December 1, 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

Reverend Phil Redding, River of Life Fellowship

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

APPROVE MINUTES OF THE NOVEMBER 17, 2015 REGULAR MEETING

APPROVED as written

ITEMS OF BUSINESS:

1. Presentation: S.R.C.A. Christmas cards to Board of Directors
Presentation only
2. Ordinance establishing salaries and benefits and related procedures for City employees
APPROVED 5 in favor (Lau, Good, Lorenz, Settle & Hutchings), 2 opposed (Catsavis & Pennartz) / Ordinance No. 87-15

3. Public hearing and ordinance to adopt the fiscal year 2016 Operating Budget and to provide other matters relating thereto
APPROVED as amended with the intent of surplus identified to fund LOPFI and to move approved appropriation funds to Beautify Fort Smith from the Sanitation Fund to the Street Maintenance fund; 5 in favor (Lau, Good, Lorenz, Settle & Hutchings), 2 opposed (Catsavis & Pennartz) / Ordinance No. 88-15
4. Items regarding an appeal of the Planning Commission's approval of Conditional Use No. 21-11-15 (*appeal of David Kerr, resident of Belle Grove Historic District*) ♦
 - A. Resolution affirming the action of the Planning Commission approving Conditional Use No. 21-11-15 for a community food service facility at 317 North "F" Street
APPROVED 4 in favor (Good, Catsavis, Pennartz & Hutchings), 3 opposed (Lau, Lorenz & Settle) / Resolution No. R-209-15
 - B. Resolution denying Conditional Use No. 21-11-15 for a community food service facility located at 317 North "F" Street ♦
No action due to action on 4A
5. Ordinance amending the Master Land Use Plan map and rezoning identified property and amending the zoning map (*Master Land Use Plan: from Open Space/Office, Research, Light Industrial to Office, Research and Light Industrial / Rezoning: from Commercial Heavy (C-5) to Industrial Light (I-1) by extension located at 2801 Cavanaugh Road*)
APPROVED 6 in favor (Lau, Good, Catsavis, Pennartz, Settle & Hutchings), 1 abstention (Lorenz) / Ordinance No. 89-15
6. Ordinance rezoning identified property and amending the zoning map (*from Transitional (T) to Residential Multifamily Medium Density (RM-3) by extension located at 3311 South 66th Street*)
APPROVED 7 in favor, 0 opposed / Ordinance No. 90-15
7. Ordinance rezoning identified property and amending the zoning map (*from Unzoned to Residential Single Family Duplex Medium/High Density (RSD-3) by classification located at 6900 Veterans Avenue*)
APPROVED 7 in favor, 0 opposed / Ordinance No. 91-15
8. Ordinance rezoning identified property and amending the zoning map (*from Not Zoned to Commercial Light (C-2) and Residential Single Family Duplex Medium/High Density (RSD-3) by classification located at 7100-7200 Wells Lake Road*)
APPROVED 7 in favor, 0 opposed / Ordinance No. 92-15
9. Consent Agenda
 - A. Resolution approving specific excess insurance and aggregate excess insurance for the City's employee health coverage ~ *Withdrawn and deferred to the December 15, 2015 regular meeting* ~

- B. Resolution approving claim service, specific excess insurance and aggregate excess insurance for the City's workers' compensation coverage
~ *Withdrawn and deferred to the December 15, 2015 regular meeting* ~
- C. Resolution approving a contract with Daily & Woods, P.L.L.C. for general legal services for 2016
APPROVED 6 in favor, 0 opposed / Resolution No. R-210-15
- D. Resolution accepting completion of and authorizing final payment to Playcore Wisconsin, Inc., d/b/a Gametime, for the development of Imani (Fianna Way) and Stagecoach (Texas Road) Neighborhood Parks (\$158,589.46 / Parks Department / Budgeted - 1/8% Sales and Use Tax)
APPROVED 6 in favor, 0 opposed / Resolution No. R-211-15
- E. Resolution authorizing the execution of a memorandum of understanding between Williams-Crawford & Associates and the City of Fort Smith for the establishment and operation of a substation for the City's Police Department at 421 North "D" Street
APPROVED 6 in favor, 0 opposed / Resolution No. R-212-15
- F. Resolution authorizing Amendment No. 2 to Authorization No. 1 with Morrison Shipley Engineers, Inc. for additional work to design the replacements for Lift Stations 15, 16, 17 and 23 (\$10,076.75 / Utility Department / Budgeted – 2014 Sales and Use Tax)
APPROVED 6 in favor, 0 opposed / Resolution No. R-213-15
- G. Resolution authorizing the Mayor to execute Authorization No. 2 to the agreement with Morrison Shipley Engineers, Inc. for engineering services for the replacement of Lift Stations 15, 16, 17 & 23 (\$198,000.00 / Utility Department / Budgeted – 2014 Sales and Use Tax Bonds) ♦
DEFEATED 3 in favor (Good, Lorenz & Settle), 3 opposed (Lau, Catsavis & Pennartz)
- H. Resolution accepting the bid of and authorizing the Mayor to execute a contract with KAJACS Contractors, Inc. for the replacement of Lift Stations 15, 16, 17 & 23 (\$1,507,605.00 / Utility Department / Budgeted – 2014 Sales and Use Tax Bonds) ♦
APPROVED 6 in favor, 0 opposed / Resolution No. R-214-15
- I. Resolution authorizing the Mayor to execute two deeds with Fort Chaffee Redevelopment Authority for the acquisition of real property interests in connection with the Chaffee Crossing Sanitary Sewer and Area "F" Sewer Projects
APPROVED 6 in favor, 0 opposed / Resolution No. R-215-15
- J. Resolution accepting the project as complete and authorizing final payment to Archer Western Construction, LLC for the Zero Street Pump Station Wet

Weather Improvements – Pump Station and EQ Storage (\$573,176.16 / Utility Department / Budgeted - 2014 Sales and Use Tax Bonds)

APPROVED 6 in favor, 0 opposed / Resolution No. R-216-15

- K. Resolution authorizing settlement of the City's just compensation claims in the eminent domain action filed by Arkansas Valley Electric Cooperative Corporation regarding landfill property and authorizing the Acting City Administrator and City Attorney to effectuate the settlement

APPROVED 6 in favor, 0 opposed / Resolution No. R-217-15

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

8:42 p.m.

ORDINANCE NO. 87-15AN ORDINANCE ESTABLISHING SALARIES AND BENEFITS
AND RELATED PROCEDURES FOR CITY EMPLOYEES

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

SECTION 1: Pay Rates and Salaries

All employees shall be paid based on the salary grade ranges as shown in Appendix A.

- A. **For calendar year 2016 all merit, performance, step or time in grade pay increases as defined throughout this ordinance are hereby suspended for all City employees. However, performance evaluations will continue through 2016 as described in this ordinance.**
- B. For non-uniformed employees below the midpoint of the salary grade, a pay for performance evaluation will take place shortly before their position anniversary date:
1. If the employee is meeting job requirements, a step increase will be granted on the position anniversary date.
 2. An additional step increase may be granted if the employee at times exceeds job requirements (an average of 2.0 or better on the attached performance scale). Should the step increases place the salary at or above the midpoint, any pay increase over the midpoint shall be based on the formula found in Section C (2.) of this Ordinance.
 3. Two additional step increases may be granted if the employee consistently exceeds job requirements (an average of 3.0 on the attached performance scale). Should the step increases place the salary at or above the midpoint, any pay increase over the midpoint shall be based on the formula found in Section C (1.) of this Ordinance.
 4. No step increase will be granted to an employee evaluated as Progressing to Minimum Requirements. (An average score of less than 1.0 or one or more evaluation category rating of E)
 5. The 2016 pay increase will be rescinded if the employee is found to need improvement and a decision about the employee's future with the City will be made no later than the time of the evaluation. (An average score of less than 1.0 and one or more evaluation category rating of E)
- C. For non-uniformed employees at or above the midpoint of the salary grade, a pay for

performance evaluation will take place shortly before their position anniversary date.

1. Based on the employee's average score, a pay increase of 3% will be granted if funding is available (which it is not for 2016) and if the employee consistently exceeds job requirements. The actual percentage will be determined by the attached scale in Appendix B and will be adjusted to either one third or two thirds of the total percentage in Appendix B if the employee's first or second step of the increase otherwise placed them above the midpoint.
2. Based on the employee's average score, a pay increase between 1-3% will be granted if funding is available (which it is not for 2016) and if the employee at times exceeds job requirements. The actual percentage will be determined by the attached scale in Appendix B and will be adjusted to one half of the total percentage in Appendix B if the employee's first step of the increase otherwise placed them above the midpoint.
3. No additional pay increases will be granted if the employee is evaluated as Meeting Job Requirements.
4. No more than one-third of the 2016 pay increase may be granted, if the employee is working toward expectations. (An average score of less than 1.0, or one or more evaluation category rating of E)
5. No portion of the 2016 pay increase will be granted if the employee is found to need improvement and a decision about the employee's future with the City will be made no later than the time of the evaluation. (An average score of less than 1.0 and one or more evaluation category rating of E)

While the preceding steps in SECTION 1. B. & C. are listed to illustrate the effect of the pay decisions based on their performance evaluation, Supervisors and Department Heads are encouraged to engage in periodic evaluation discussions with employees. These discussions are intended to let employees know if they are meeting or exceeding expectations during the year. Supervisors and Department Heads are hereby directed to deal with deficient performance issues immediately and not wait until the scheduled evaluation to inform the employee of these problems.

- D. For non uniformed employees at or above the maximum salary for the grade, no salary increase will be granted if the employee is meeting expectations. A onetime payment that will not become part of the employee's permanent salary may be approved by the City Administrator if the employee consistently exceeds or at times exceeds job requirements. The amount of the onetime payment will follow the same percentages found in Section C (1.) & C (2.) of this Ordinance.
- E. For Police uniformed employees, a step increase will be granted if the employee is evaluated as satisfactory regardless of their location on the pay grade until the employee has reached the last step.

No pay increases will be granted, including cost of living, to any employee if they are found to be unsatisfactory on their annual performance evaluation.

- F. For Fire Department uniformed employees, a step increase will be granted if the employee is evaluated as satisfactory regardless of their location on the pay grade until the employee has reached the last step.

No pay increases will be granted, including cost of living, to any employee if they are found to be unsatisfactory in any one evaluation category.

- G. Employees designated by their department director as a language interpreter are eligible for language incentive pay of \$83.34 per month subject to certain conditions and procedures as follows:

1. Each employee will be required to pass a certification test verifying their ability to speak, listen or sign at the designated competency level required by their department. The City will pay for the first two certification tests for the designated employee.
2. If the employee fails to pass the certification test on the first two attempts, it will then be the employee's responsibility to pay for any subsequent attempts to achieve certification.

- H. Employees designated as an IT user liaison are eligible for incentive pay of \$100.00 per month subject to certain conditions and procedures as follows:

1. Each employee will be required to attend IT user liaison training and pass a certification test verifying their competency.
2. IT user liaisons will spend 5-10 % of their work week supporting IT users and the IT function of the city.

- I. All non uniformed employees shall receive longevity pay as follows:

1. After the first five (5) years of continuous and uninterrupted service, the sum of \$10.00 shall be added to monthly compensation.
2. After each five (5) year period of continuous and uninterrupted service thereafter, an additional \$5.00 per month for each said five year periods shall be added provided however, that \$30.00 per month shall be the maximum longevity pay.

- J. Employees designated by their department director as a member of the chlorine emergency response team are eligible for incentive pay of \$100.00 per month subject to certain conditions and procedures as follows: Each employee will be required to initially complete 40 hours of specialized training to be eligible to participate on the chlorine emergency response team. Then each member will be required to complete a minimum of 8 hours of continuing education each year to remain on the chlorine emergency response team.

- K. Employees designated by their position description as a salesperson will be paid a commission of 5% on all sales in excess of their gross sales (excluding contract labor fees) for the same quarter of the previous year subject to certain conditions and procedures as

follows: The gross sales amount for the previous year will be determined by the department director of the salesperson eligible to receive the commission.

SECTION 2: Non-Exempt Non-Uniformed Employees

- A. Shift Differential - a Non-Exempt employee assigned to work a second shift shall receive a shift differential of ten (10) cents per hour for each hour worked beginning with a regularly scheduled shift starting time of 2:00 p.m. and ending before 10:00 p.m. A Non-Exempt employee assigned to work a third shift shall receive a shift differential of fifteen (15) cents per hour for each hour worked beginning with a regularly scheduled shift starting time of 10:00 p.m. and ending before 6:00 a.m.
- B. Mileage Reimbursement - Employees, who on written instructions, use their personal automobile(s) on City business will be reimbursed at the most recently published Internal Revenue Service Code reimbursement rate.

SECTION 3: Exempt Employees Salaries

- A. In addition to any other current contributions, a contribution to the International City Managers Association - Retirement Corporation (ICMA-RC) of one-hundred dollars (\$100) per month will be made for each department head as listed below:

City Administrator	Deputy City Administrator
District Court Clerk	Police Chief
Fire Chief	Director of Engineering
Director of Development & Construction	Director of Human Resources
Director of Finance	Director of Utilities
Director of Sanitation	Director of Streets & Traffic Control
Director of Parks & Recreation	Director of Transit
Director of Information & Technology	City Clerk
Internal Auditor	

SECTION 4: Civil Service (uniformed) employees of the Fire Department shall be paid a rate of pay as set forth in Appendix C. **For calendar year 2016 all merit, performance, step or time in grade pay increases as defined throughout this ordinance are hereby suspended for all City employees. However, performance evaluations will continue through 2016 as described in this ordinance.**

- A. All firefighters hired (including rehires) by the City shall initially be placed in Step A in the Firefighter F-1 position. Advancement to Step B shall occur on the first anniversary date of the date of appointment to the position if an employee's performance is found to be satisfactory. Advancement into each step subsequent to Step B shall occur on the respective subsequent anniversary date of the appointment to the position.
- B. Drivers, Captain, Battalion Chiefs, Fire Marshals, Training Officer and Assistant Chief are eligible on their position anniversary date for advancement to Step B (in the applicable range) based on merit as determined by a job performance evaluation. Advancement to each step subsequent to Step B shall also be based on merit as determined by a job performance evaluation on each subsequent promotion anniversary date.

- C. All hourly compensated firefighters shall have a work period of fourteen (14) days (106 hours) and shall be subject to the Section 7 (k) exemption of 29 CFR Part 553 application of the Fair Labor Standards Act to Employees of State and Local Governments.
- D. All firefighters shall receive compensation for an additional thirteen (13) days paid as legal holidays in accordance with the provisions of Act 501 of 1987. Compensation for holidays is based on the firefighter's daily rate of pay and is in addition to the regular pay schedule. Holiday compensation is included in the rates of pay provided in Appendix C. The thirteen (13) days of holiday equalization pay shall be prorated and paid during the regular payroll periods. "Daily rate of pay" for all hourly compensated firefighters is hereby defined for all budgetary purposes of the City of Fort Smith as being one-tenth of the biweekly base pay for the applicable employment grade and range. The biweekly base pay period for all firefighters shall be based on an average of one-hundred-twelve (112) hours worked biweekly.
- E. All firefighters shall be granted annual vacation as follows:
- After twelve (12) months of continuous and uninterrupted service, 144 hours.
 - After six (6) consecutive years of continuous and uninterrupted service, 168 hours.
 - After ten (10) consecutive years of continuous and uninterrupted service, 192 hours.
 - After fifteen (15) consecutive years of continuous and uninterrupted service, 216 hours.
 - After twenty (20) consecutive years of continuous and uninterrupted service, 240 hours.
- Annual vacation leave shall not be accumulated from calendar year to calendar year.
- F. For administrative convenience, the annual vacation of not less than fifteen (15) days with full pay for Fire Department employees as required by A.C.A. 14-53-107 and provided in Section (E) above is hereafter defined in terms of annual vacation hours as provided in this section. Each three days of annual vacation with full pay provided for in A.C.A. 14-53-107 and each three days of additional annual vacation granted by Section (E) above is deemed to be equal to one scheduled working shift of twenty-four (24) hours. For administrative record keeping of the City, the City Administrator and his designated agents are authorized to maintain records regarding annual vacation leave in terms of "scheduled working hours." Using such administrative procedure, the annual vacation provided by Section (E) above shall be provided in terms of three (3) calendar days being equal to one (1) working shift of twenty-four (24) hours. For each hour of vacation leave that a firefighter is away from a regularly scheduled work shift, one hour shall be credited against his or her annual vacation benefit.
- G. The administrative procedures provided in Section (F) shall not be interpreted or construed to enlarge or decrease the current vacation leave benefit provided by A.C.A. 14-53-107 and this ordinance.
- H. Sick leave for firefighters shall accumulate at a rate of 360 hours per year beginning with the date of employment and decreasing to 288 hours per year beginning four (4) years after employment. Unused sick leave shall accumulate to firefighters provided with 360 hours per year and 288 hours per year sick leave to a maximum of 2400 hours. If at the end of his/her term of service, upon death or retirement defined as being eligible to receive normal, early or disability LOPFI retirement pension payments immediately upon

separation of employment, any firefighter who has unused accumulated sick leave, he/she shall be paid for such sick leave at the regular rate of pay in effect at the time of retirement provided, however, that payment for unused sick leave upon retirement shall not exceed three (3) months salary as per state law, A.C.A. 14-53-108

- I. All Civil Service Fire Department personnel shall receive longevity pay as follows:
1. After the first five (5) years of continuous and uninterrupted service, the sum of \$10.00 shall be added to monthly compensation.
 2. After each five (5) year period of continuous and uninterrupted service thereafter, an additional \$5.00 per month for each said five year periods shall be added provided however, that \$30.00 per month shall be the maximum longevity pay.
- J. All firefighters, after their first year of probation, shall be eligible for a monthly pay bonus for the completion of certificates awarded by the Arkansas State Fire Academy or the National Fire Academy according to the following schedule.

<u>Certificate</u>	<u>Monthly Pay Bonus</u>
1. Pump Operation/Emergency Driving	\$15.00
2. Fire Inspector 1	\$15.00
3. First Responder	\$15.00
4. Fire Officer 1	\$15.00
5. Emergency Medical Technician EMT	\$15.00
6. Special Certification Certificate as per Fire Chief	\$15.00
7. Arson Investigation	\$15.00
8. Hazardous Materials	<u>\$15.00</u>
Total possible Certificate pay	\$120.00

- K. An additional 10%, after their first year of probation, shall be added to the pay rate of a firefighter who becomes a Certified Paramedic. Certification must be maintained or certification pay will be eliminated.
- L. All firefighters shall receive an annual physical examination by the City to determine their physical fitness to perform firefighting activities.
- M. All firefighters are eligible for educational bonus pay subject to certain conditions and procedures as follows: If the employees hire date is prior to or December 31, 2004 and the employee has entered an educational program then schedule (1) will be followed. If an employee has not entered an educational program prior to January 1, 2005 or the employee hire date is January 1, 2005 or later then schedule (2) will be followed. If an employee who is eligible and receiving bonus pay based on schedule (1) earns a bachelors degree then that employee will be eligible for schedule (2).

<u>Schedule (1)</u>	
<u>Educational Program</u>	<u>Percentage of Total Annual Pay Added as Bonus</u>
Entry into the Plan	1%
Completion of 15 semester hours	2%
Completion of 30 semester hours	3%

Completion of 45 semester hours	4%
Completion of 60 semester hours plus	5% attainment of Associates Degree

Schedule (2)

<u>Educational Program</u>	<u>Percentage of Total Annual Pay Added as Bonus</u>
Associates Degree	3%
Bachelors Degree	6%
Masters Degree	7%

- N. Firefighters designated by the fire department and certified to maintain and service breathing apparatus are eligible for incentive pay of \$100.00 per month.

SECTION 5: Civil Service (uniformed) employees of the Police Department shall be paid a rate of pay as set forth in Appendix D. **For calendar year 2016 all merit, performance, step or time in grade pay increases as defined throughout this ordinance are hereby suspended for all City employees. However, performance evaluations will continue through 2016 as described in this ordinance.**

- A. All Police Officers hired (including rehires) by the City shall initially be placed in the Entry Level in the Patrol Officer/Detective P-1 Range. Advancement to subsequent levels of pay shall be based upon an officer's anniversary date as indicated in the schedule in Appendix D.
- B. Advancement to the Corporal rank P-1 will occur upon reaching the tenth step of a patrol officer/detective. Advancement to subsequent levels of pay shall be based upon an officer's position anniversary date as indicated on the schedule in Appendix D.
- C. All hourly compensated Police Officers shall have a work period of seven (7) days, shall receive overtime pay after 40 hours, and shall be subject to the Section 7 (K) exemption of 29 CFR Part 553 Application of the Fair Labor Standards Act to Employees of State and Local Governments.
- D. All Police Officers shall receive compensation for an additional thirteen (13) days as paid legal holidays in accordance with the provisions of Act 501 of 1987. Compensation for holidays is based on the officer's daily rate of pay and is in addition to the base pay schedule. In calculating the holiday pay, the "daily rate of pay" for all hourly compensated Police Officers is hereby defined for budgetary purposes of the City of Fort Smith as being the per hour rate of base pay times (8) hours for the applicable employment grade and range. Holiday compensation is included in the rates of pay provided in Appendix D. Holiday pay is to be prorated and paid during the regular payroll periods.
- E. All Police Officers shall be granted annual vacations as follows:
1. After twelve (12) months of continuous and uninterrupted service, fifteen (15) working days.
 2. After six (6) consecutive years of continuous and uninterrupted service, seventeen (17) working days.

3. After ten (10) consecutive years of continuous and uninterrupted service, twenty (20) working days.
4. In addition to the foregoing vacation days, each officer will receive one (1) discretionary day off with pay each year after (12) months of continuous service.

Annual vacation leave and the discretionary day shall not be accumulated for more than a twelve month period from the date of accrual for Civil Service Employees.

- F. All Police Officers shall accumulate sick leave at the rate of twenty (20) working days (i.e., 28 calendar days) per year beginning one (1) year after the date of employment. Sick leave may be accumulated from year to year to maximum accumulation of one hundred twenty (120) working days (i.e., 168 calendar days) at any one time. If at the end of his/her term of service, upon death or retirement defined as being eligible to receive normal, early or disability LOPFI retirement pension payments immediately upon separation of employment, any Police Officer has unused accumulated sick leave, he/she shall be paid for such sick leave at the regular rate of pay in effect at the time of retirement or death, provided however, that payment of unused sick leave upon retirement or death shall not exceed (3) months salary for Police Officers in the rank of Captain and above and shall not exceed salary for five hundred twenty (520) hours for Police Officers in the rank of Sergeant and below.
- G. All civil service police officers shall receive longevity pay as follows:
1. After the first five (5) years of continuous and uninterrupted service, the sum of \$10.00 shall be added to monthly compensation.
 2. After each (5) year period of continuous and uninterrupted service thereafter, an additional \$5.00 per month for each of said five (5) year periods shall be added, provided, however, that \$30.00 per month shall be the maximum longevity pay.
- H. All Police Officers, after their first year of probation, shall be eligible for a monthly pay bonus for the completion of the State of Arkansas Law Enforcement Standards and Training Certificates as follows:
1. General Certificate - \$20.00 added to monthly compensation
 2. Intermediate Certificate - \$40.00 added to monthly compensation.
 3. Advanced Certificate - \$60.00 added to monthly compensation.
 4. Senior Certificate - \$80.00 added to monthly compensation.
- I. All police officers are eligible for educational bonus pay subject to certain conditions and procedures as follows: If the employees hire date is prior to or December 31, 2004 and the employee has entered an educational program then schedule (1) will be followed. If an employee has not entered an educational program prior to January 1, 2005 or the employees hire date is January 1, 2005 or later then schedule (2) will be followed. If an employee who is eligible and receiving bonus pay based on schedule (1) earns a bachelors degree then that employee will be eligible for schedule (2).

Schedule (1)

<u>Educational Program</u>	<u>Percentage of Total Annual Pay Added as Bonus</u>
Entry into the Plan	1%
Completion of 15 semester hours	2%
Completion of 30 semester hours	3%
Completion of 45 semester hours	4%
Completion of 60 semester hours plus	5% attainment of Associates Degree

Schedule (2)

<u>Educational Program</u>	<u>Percentage of Total Annual Pay Added as Bonus</u>
Associates Degree	3%
Bachelors Degree	6%
Masters Degree	7%

SECTION 6: Policy

As to non-uniformed employees, in extreme and unusual employment and promotional situations related to business necessity and efficiency, the City Administrator may waive or alter the step increase procedure to fill a position with the most highly qualified candidate and assign the appropriate wage within the job classification.

SECTION 7: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

PASSED AND APPROVED THIS 1st day of December, 2015

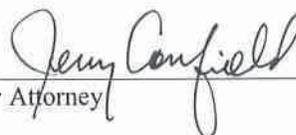
APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to form:


City Attorney

Appendix A

HOURLY PAY GRADE RANGES
BUDGET YEAR 2016
(basis, 8 hrs/day, 5 days/week, 52 weeks/year)

Grade	Entry	Midpoint	Maximum	Step
1	\$ 9.53	\$ 11.52	\$ 13.51	\$ 0.40
2	\$ 10.66	\$ 12.89	\$ 15.11	\$ 0.44
3	\$ 11.77	\$ 14.23	\$ 16.71	\$ 0.49
4	\$ 12.91	\$ 15.60	\$ 18.30	\$ 0.54
5	\$ 14.04	\$ 16.96	\$ 19.89	\$ 0.59
6	\$ 15.15	\$ 18.31	\$ 21.46	\$ 0.63
7	\$ 16.26	\$ 19.65	\$ 23.07	\$ 0.68
8	\$ 17.37	\$ 21.01	\$ 24.63	\$ 0.72
9	\$ 18.50	\$ 22.38	\$ 26.24	\$ 0.77
10	\$ 19.62	\$ 23.74	\$ 27.84	\$ 0.83
11	\$ 20.75	\$ 25.09	\$ 29.43	\$ 0.88
12	\$ 20.77	\$ 26.71	\$ 32.66	\$ 1.18
13	\$ 21.85	\$ 28.11	\$ 34.35	\$ 1.24
14	\$ 23.13	\$ 29.76	\$ 36.38	\$ 1.32
15	\$ 24.20	\$ 31.12	\$ 38.06	\$ 1.39
16	\$ 25.54	\$ 32.86	\$ 40.14	\$ 1.46
17	\$ 26.60	\$ 34.22	\$ 41.84	\$ 1.53
18	\$ 27.68	\$ 35.62	\$ 43.54	\$ 1.59
19	\$ 28.77	\$ 37.04	\$ 45.29	\$ 1.65
20	\$ 29.86	\$ 38.42	\$ 46.99	\$ 1.71
21	\$ 30.96	\$ 39.83	\$ 48.69	\$ 1.77
22	\$ 32.01	\$ 41.21	\$ 50.39	\$ 1.84
23	\$ 33.11	\$ 42.61	\$ 52.11	\$ 1.91
24	\$ 34.20	\$ 44.01	\$ 53.80	\$ 1.97

BI-WEEKLY PAY GRADE RANGES
BUDGET YEAR 2016
(basis, 8 hrs/day, 5 days/week, 52 weeks/year)

Grade	Entry	Midpoint	Maximum	Step
1	\$ 762.40	\$ 921.60	\$ 1,080.80	\$ 32.00
2	\$ 852.80	\$ 1,031.20	\$ 1,208.80	\$ 35.20
3	\$ 941.60	\$ 1,138.40	\$ 1,336.80	\$ 39.20
4	\$ 1,032.80	\$ 1,248.00	\$ 1,464.00	\$ 43.20
5	\$ 1,123.20	\$ 1,356.80	\$ 1,591.20	\$ 47.20
6	\$ 1,212.00	\$ 1,464.80	\$ 1,716.80	\$ 50.40
7	\$ 1,300.80	\$ 1,572.00	\$ 1,845.60	\$ 54.40
8	\$ 1,389.60	\$ 1,680.80	\$ 1,970.40	\$ 57.60
9	\$ 1,480.00	\$ 1,790.40	\$ 2,099.20	\$ 61.60
10	\$ 1,569.60	\$ 1,899.20	\$ 2,227.20	\$ 66.40
11	\$ 1,660.00	\$ 2,007.20	\$ 2,354.40	\$ 70.40
12	\$ 1,661.60	\$ 2,136.80	\$ 2,612.80	\$ 94.40
13	\$ 1,748.00	\$ 2,248.80	\$ 2,748.00	\$ 99.20
14	\$ 1,850.40	\$ 2,380.80	\$ 2,910.40	\$ 105.60
15	\$ 1,936.00	\$ 2,489.60	\$ 3,044.80	\$ 111.20
16	\$ 2,043.20	\$ 2,628.80	\$ 3,211.20	\$ 116.80
17	\$ 2,128.00	\$ 2,737.60	\$ 3,347.20	\$ 122.40
18	\$ 2,214.40	\$ 2,849.60	\$ 3,483.20	\$ 127.20
19	\$ 2,301.60	\$ 2,963.20	\$ 3,623.20	\$ 132.00
20	\$ 2,388.80	\$ 3,073.60	\$ 3,759.20	\$ 136.80
21	\$ 2,476.80	\$ 3,186.40	\$ 3,895.20	\$ 141.60
22	\$ 2,560.80	\$ 3,296.80	\$ 4,031.20	\$ 147.20
23	\$ 2,648.80	\$ 3,408.80	\$ 4,168.80	\$ 152.80
24	\$ 2,736.00	\$ 3,520.80	\$ 4,304.00	\$ 157.60

ANNUAL PAY GRADE RANGES
BUDGET YEAR 2016
(basis, 8 hrs/day, 5 days/week, 52 weeks/year)

Grade	Entry	Midpoint	Maximum	Step
1	\$ 19,822.40	\$ 23,961.60	\$ 28,100.80	\$ 832.00
2	\$ 22,172.80	\$ 26,811.20	\$ 31,428.80	\$ 915.20
3	\$ 24,481.60	\$ 29,598.40	\$ 34,756.80	\$ 1,019.20
4	\$ 26,852.80	\$ 32,448.00	\$ 38,064.00	\$ 1,123.20
5	\$ 29,203.20	\$ 35,276.80	\$ 41,371.20	\$ 1,227.20
6	\$ 31,512.00	\$ 38,084.80	\$ 44,636.80	\$ 1,310.40
7	\$ 33,820.80	\$ 40,872.00	\$ 47,985.60	\$ 1,414.40
8	\$ 36,129.60	\$ 43,700.80	\$ 51,230.40	\$ 1,497.60
9	\$ 38,480.00	\$ 46,550.40	\$ 54,579.20	\$ 1,601.60
10	\$ 40,809.60	\$ 49,379.20	\$ 57,907.20	\$ 1,726.40
11	\$ 43,160.00	\$ 52,187.20	\$ 61,214.40	\$ 1,830.40
12	\$ 43,201.60	\$ 55,556.80	\$ 67,932.80	\$ 2,454.40
13	\$ 45,448.00	\$ 58,468.80	\$ 71,448.00	\$ 2,579.20
14	\$ 48,110.40	\$ 61,900.80	\$ 75,670.40	\$ 2,745.60
15	\$ 50,336.00	\$ 64,729.60	\$ 79,164.80	\$ 2,891.20
16	\$ 53,123.20	\$ 68,348.80	\$ 83,491.20	\$ 3,036.80
17	\$ 55,328.00	\$ 71,177.60	\$ 87,027.20	\$ 3,182.40
18	\$ 57,574.40	\$ 74,089.60	\$ 90,563.20	\$ 3,307.20
19	\$ 59,841.60	\$ 77,043.20	\$ 94,203.20	\$ 3,432.00
20	\$ 62,108.80	\$ 79,913.60	\$ 97,739.20	\$ 3,556.80
21	\$ 64,396.80	\$ 82,846.40	\$ 101,275.20	\$ 3,681.60
22	\$ 66,580.80	\$ 85,716.80	\$ 104,811.20	\$ 3,827.20
23	\$ 68,868.80	\$ 88,628.80	\$ 108,388.80	\$ 3,972.80
24	\$ 71,136.00	\$ 91,540.80	\$ 111,904.00	\$ 4,097.60

Appendix B

Performance Score

<u>Performance Level</u>	<u>Performance Points</u>
A	3
B	2
C	1
D	0
E	0

Performance Increase

<u>Average Score</u>	<u>Increase if below MP</u>	<u>Increase if MP or above</u>
1.0 - 1.1	1 step	0.0%
1.2 - 1.3	1 step	1.0%
1.4 - 1.5	1 step	1.5%
1.6 - 1.7	1 step	2.0%
1.8 - 1.9	1 step	2.5%
2.0 - 2.1	2 steps	3.0%
2.2 - 2.3	2 steps	3.0%
2.4 - 2.5	2 steps	3.0%
2.6 - 2.7	2 steps	3.0%
2.8 - 2.9	2 steps	3.0%
3.0	3 steps	3.0%

Appendix C

City of Fort Smith
Fire Department
Pay Schedule
Budget Year 2016

Rank	Range	Rate	A	B	C	D	E	F	G
Probationary Firefighter & Firefighter	F1	Hourly	\$10.31	\$11.14	\$11.93	\$12.74	\$13.50	\$14.30	\$15.05
Driver	F2	Hourly	\$15.62	\$17.14					
Captain	F3	Hourly	\$18.63	\$20.41					
Captain (exempt)	F3	Monthly	\$4,709.97	\$5,159.26					
Fire Marshal									
Battalion Chief	F5	Monthly	\$5,592.35	\$6,291.42					
Training Officer									
Assistant Chief	F6	Monthly	\$7,042.48						

Appendix D

City of Fort Smith
Police Department
Pay Schedule
Budget Year 2016

Rank	Rate	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	
Patrol	Hourly	Entry \$ 16.59 \$ 0.83 \$ 17.42	Step 1 \$ 17.12 \$ 0.86 \$ 17.98	Step 2 \$ 17.65 \$ 0.88 \$ 18.53	Step 3 \$ 18.14 \$ 0.91 \$ 19.05	Step 4 \$ 18.67 \$ 0.93 \$ 19.60	Step 5 \$ 19.21 \$ 0.96 \$ 20.17	Step 6 \$ 19.74 \$ 0.99 \$ 20.73	Step 7 \$ 20.28 \$ 1.01 \$ 21.29	Step 8 \$ 20.80 \$ 1.04 \$ 21.84	Step 9 \$ 21.33 \$ 1.07 \$ 22.40
Corporal	Hourly	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15	Step 16	Step 17	Step 18	Step 19
			\$ 21.86 \$ 1.09 \$ 22.95			\$ 22.42 \$ 1.12 \$ 23.54			\$ 22.71 \$ 1.14 \$ 23.85		
Sergeant	Hourly	Entry	Step 1	Step 2	Step 3	Step 4	Step 5				
		\$ 23.55 \$ 1.18 \$ 24.73	\$ 24.24 \$ 1.21 \$ 25.45	\$ 24.98 \$ 1.25 \$ 26.23	\$ 25.66 \$ 1.28 \$ 26.94	\$ 26.36 \$ 1.32 \$ 27.68	\$ 27.09 \$ 1.35 \$ 28.44				
Captain	Annually	Entry	Step 1	Step 2	Step 3	Step 4	Step 5				
		\$ 59,147.97 \$ 2,957.40 \$ 62,105.37	\$ 60,259.14 \$ 3,012.96 \$ 63,272.10	\$ 61,370.30 \$ 3,068.52 \$ 64,438.82	\$ 62,481.45 \$ 3,124.07 \$ 65,605.52	\$ 63,592.61 \$ 3,179.63 \$ 66,772.24	\$ 64,724.92 \$ 3,236.25 \$ 67,961.17				
Major	Annually	Entry	Step 1	Step 2	Step 3	Step 4	Step 5				
		\$ 67,961.20 \$ 3,398.06 \$ 71,359.26	\$ 70,142.49 \$ 3,507.12 \$ 73,649.61	\$ 72,323.78 \$ 3,616.19 \$ 75,939.97	\$ 74,505.06 \$ 3,725.25 \$ 78,230.31	\$ 76,686.35 \$ 3,834.32 \$ 80,520.67	\$ 78,867.62 \$ 3,943.38 \$ 82,811.00				

ORDINANCE NO. 88-15

AN ORDINANCE TO ADOPT THE FISCAL YEAR 2016
OPERATING BUDGET AND TO PROVIDE OTHER
MATTERS RELATING THERETO

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

Section 1: The City of Fort Smith fiscal year 2016 Operating Budget is approved
and authorized as on file in the City Clerk's office.

Section 2: The City Administrator is hereby authorized to transfer
appropriated monies among and within authorized programs.

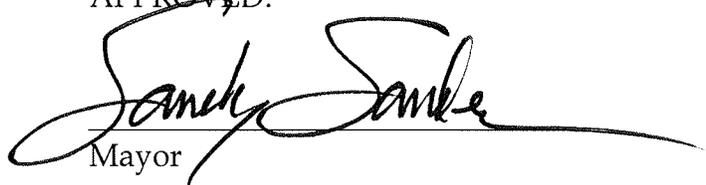
Section 3: The 2015 year end encumbrances are hereby appropriated in the 2016
Budget.

Section 4: All ordinances and resolutions in conflict with the budget hereby
are amended to conform with the budget hereby approved.

Section 5: The Board intends that an identified surplus in the General Fund
shall be transferred to the LOPFI fund throughout the year.

PASSED AND APPROVED THIS 1st DAY OF DECEMBER 2015.

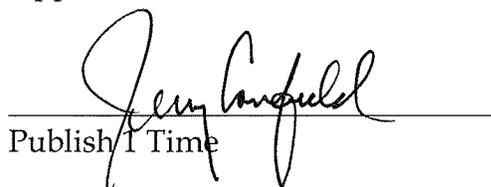
APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to form:


Publish/T Time

#4A

RESOLUTION NO. R-209-15

**A RESOLUTION AFFIRMING THE ACTION OF THE PLANNING COMMISSION
APPROVING CONDITIONAL USE #21-11-15 FOR A COMMUNITY FOOD SERVICE
FACILITY LOCATED AT 317 NORTH "F" STREET**

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

The Board of Directors hereby affirms the action of the Planning Commission which approved the conditional use request for a community food service facility located at 317 North F Street.

THIS RESOLUTION ADOPTED THIS 1st DAY OF December, 2015.

APPROVED:



Mayor

ATTEST:



City Clerk

Approved as to form:



ORDINANCE NO. 89-15**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 November 10, 2015, 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. 18-11-15 to rezone certain properties hereinafter described, and, having considered said request, recommended on November 10, 2015, 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 Open Space/Office, Research, Light Industrial to Office, Research and Light Industrial and the Master Land Use Plan Map is hereby amended to reflect said amendment to-wit:

Part of the Southwest Quarter of the Southwest Quarter of Section 3, Township 7 North, Range 32 West, Fort Smith, Sebastian County, Arkansas. Being more particularly described as follows:

Commencing at the Northwest Corner of said Southwest Quarter of the Southwest Quarter; Thence along the north line of said Southwest Quarter of the Southwest Quarter,

S86°43'30"E, 48.00 feet to the Point of Beginning on the east right-of-way line of South 28th Street; Thence continuing along said north line, S86°43'30"E, 661.61 feet to the northeast corner of Grant Whiteside Acres, and addition to the City of Fort Smith, Sebastian County, Arkansas, being filed for record September 1, 1948; Thence along the west line of said addition the following courses: S22°18'27"E, 144.59 feet; S08°58'27"E, 298.50 feet to the southwest corner of said addition, said point being on the north line of 540 Commercial Park, an addition to the City of Fort Smith, Sebastian County, Arkansas, being filed for record January 4, 1977; Thence along said north line, N87°24'09"W, 134.81 feet to the northwest corner of said addition; Thence along the west line of said addition, S03°16'33"W, 871.05 feet to the north right-of-way line of Cavanaugh Road; Thence along said right-of-way line the following courses: N86°53'33"W, 99.82 feet; S85°02'04"W, 121.24 feet; N86°47'17"W, 406.14 feet to a point on said east right-of-way line of South 28th Street; Thence along said east right-of-way line the following courses: N53°41'50"W, 20.59 feet; N07°46'55"W, 51.94 feet; N03°18'11"E, 1250.68 feet to the Point of Beginning. Containing 20.41 acres, more or less.

more commonly known as 2801 Cavanaugh Road.

SECTION 2: The hereinafter described property is hereby rezoned from Commercial Heavy (C-5) to Industrial Light (I-1) by Extension, subject to the Planning Commission approved development plan.

Part of the Southwest Quarter of the Southwest Quarter of Section 3, Township 7 North, Range 32 West, Fort Smith, Sebastian County, Arkansas. Being more particularly described as follows:

Commencing at the Northwest Corner of said Southwest Quarter of the Southwest Quarter; Thence along the north line of said Southwest Quarter of the Southwest Quarter, S86°43'30"E, 48.00 feet to the Point of Beginning on the east right-of-way line of South 28th Street; Thence continuing along said north line, S86°43'30"E, 661.61 feet to the northeast corner of Grant Whiteside Acres, and addition to the City of Fort Smith, Sebastian County, Arkansas, being filed for record September 1, 1948; Thence along the west line of said addition the following courses: S22°18'27"E, 144.59 feet; S08°58'27"E, 298.50 feet to the southwest corner of said addition, said point being on the north line of 540 Commercial Park, an addition to the City of Fort Smith, Sebastian County, Arkansas, being filed for record January 4, 1977; Thence along said north line, N87°24'09"W, 134.81 feet to the northwest corner of said addition; Thence along the west line of said addition, S03°16'33"W, 871.05 feet to the north right-of-way line of Cavanaugh Road; Thence along said right-of-way line the following courses: N86°53'33"W, 99.82 feet; S85°02'04"W, 121.24 feet; N86°47'17"W, 406.14 feet to a point on said east right-of-way line of South 28th Street; Thence along said east right-of-way line the following courses: N53°41'50"W, 20.59 feet; N07°46'55"W, 51.94 feet; N03°18'11"E, 1250.68 feet to the Point of Beginning. Containing 20.41 acres, more or less.

more commonly known as 2801 Cavanaugh Road.

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

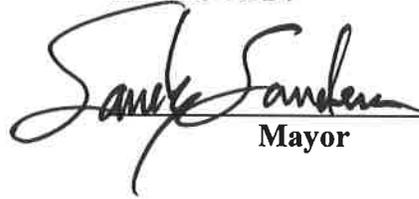
PASSED AND APPROVED THIS 1st DAY OF December, 2015.

ATTEST:



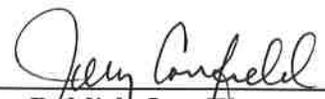
City Clerk

APPROVED:



Mayor

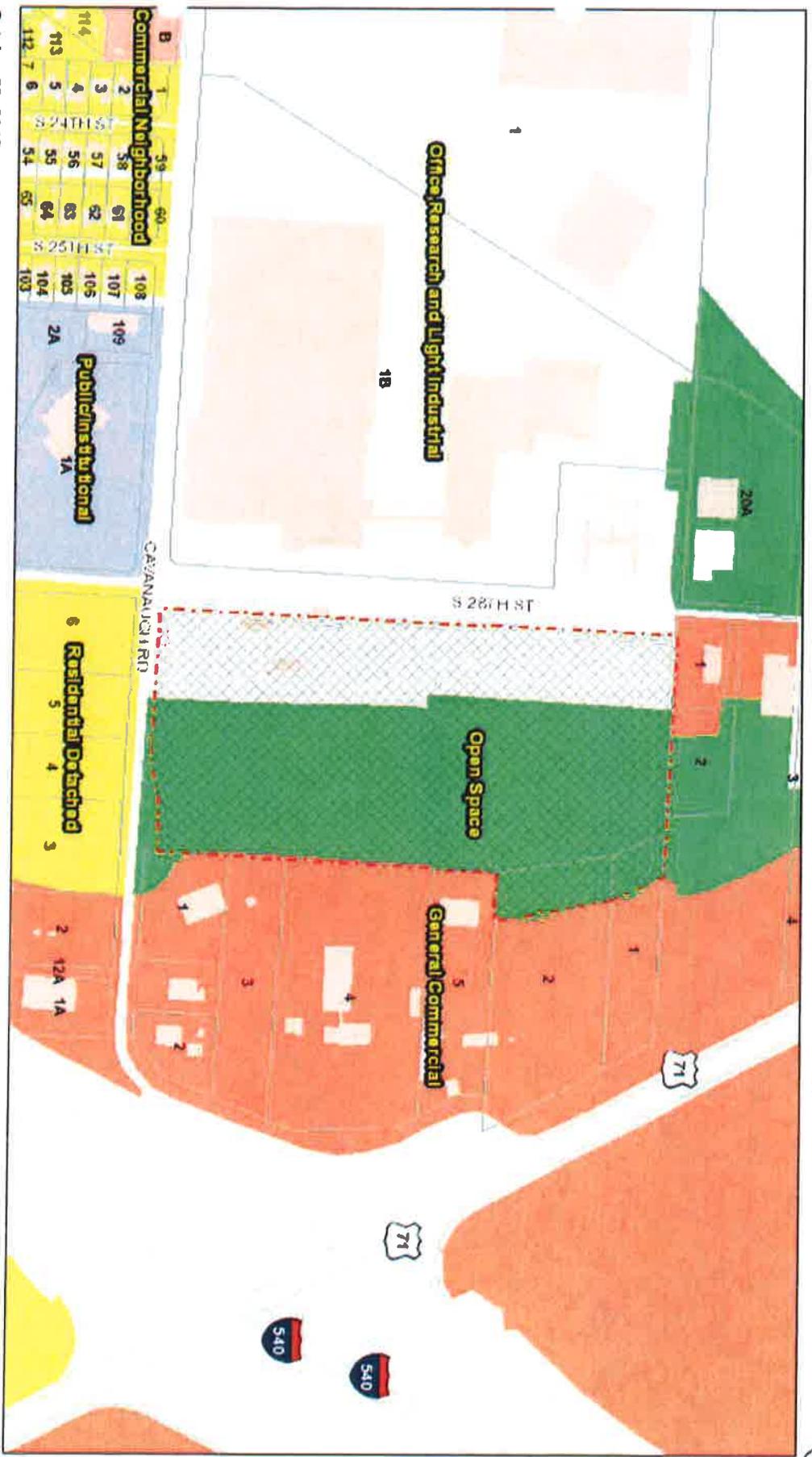
Approved as to form:



Publish One Time

Master Land Use: From Office, Research and Light Industrial and Open Space to Office, Research and Light Industrial at 2801 Cavanaugh Road

IF
C



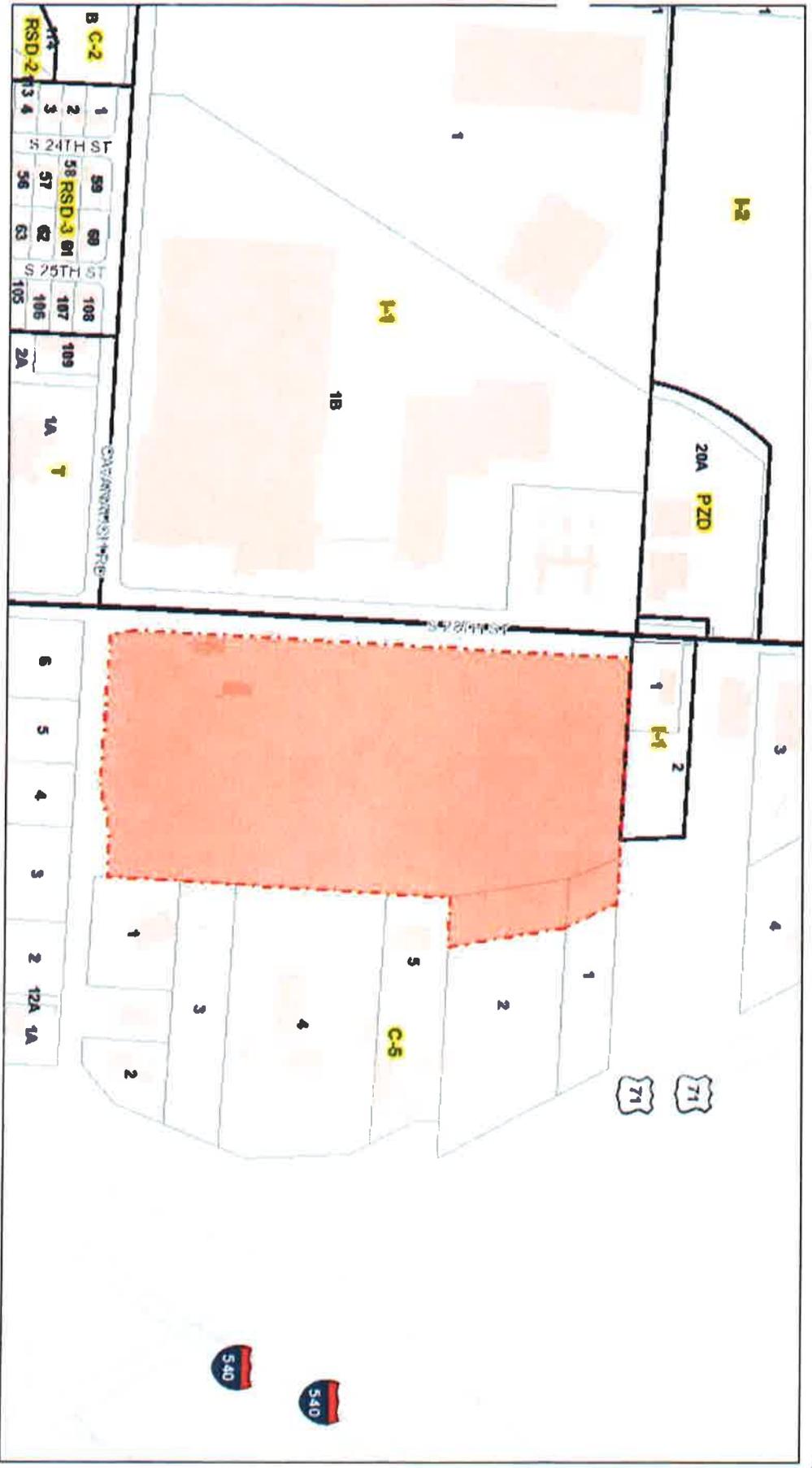
B	1	2	3	4	5	6	7	8	9	10	11	12
Commercial Neighborhood	59	60	61	62	63	64	65	66	67	68	69	70
Public/Institutional	108	109	110	111	112	113	114	115	116	117	118	119
Residential Detached	120	121	122	123	124	125	126	127	128	129	130	131

October 23, 2015
 [] Fort Smith City Limits
 [] Subdivisions
 [] Building Footprints
Land Use

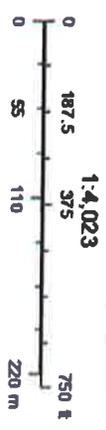


Rezoning #18-11-15: From Commercial Heavy (C-5) to Industrial Light (I-1) 2801 Cavanaugh Road

39



- October 23, 2015
- Fort Smith City Limits
 - Zoning
 - Subdivisions
 - Building Footprints



#6

ORDINANCE NO. 90-15

**AN ORDINANCE REZONING IDENTIFIED PROPERTY AND AMENDING THE
ZONING MAP**

WHEREAS, the City Planning Commission has heretofore held a public hearing upon request No. 19-11-15 to rezone certain properties hereinafter described, and, having considered said request, recommended on November 10, 2015, that said change be made;

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

SECTION 1: That the following properties to-wit:

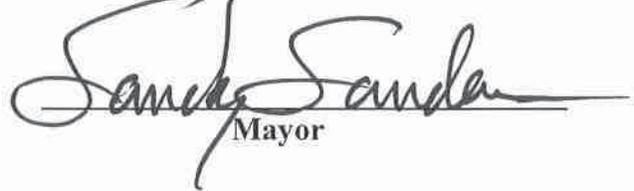
Part of the South Half (S ½) of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section 25, Township 8 North, Range 32 West, Fort Smith, Sebastian County, Arkansas, Being More Particularly Described As Follows:

Commencing at the Southwest Corner of the East Half of the East Half of the Southwest Quarter of the Northeast Quarter of said Section 25 according to Plat record P1622B, thence along the west line of Executive Park, Plat record P322, North 03° 09' 40" East a distance of 990.00 feet; Thence along the south line of Lots 11, 10A and Tract 3 of Executive Park, North 87° 14' 56" West a distance of 331.80 feet to the Point of Beginning being a set ½" rebar with cap stamped P.S. No. 1703; Thence along the west line of a certain tract of land as described in a warranty deed in favor of the Fraternal Order of Eagles found in Book 353, Page 330, South 02° 59' 12" West a distance of 132.00 feet to a set ½" rebar and cap stamped P.S. No. 1703; Thence continuing along the same said tract of land North 87° 14' 56" West a distance of 659.93 feet to the west line of the Northeast Quarter of said section 25; Thence along said line, North 02° 44' 22" East a distance of 132.00 feet; Thence along the south line of Executive Park, South 87° 14' 56" East a distance 660.50 feet to the Point of Beginning containing 2.00 acres more or less and being subject to any Easements or Rights of Way of record.

more commonly known as 3311 South 66th Street, should be, and is hereby rezoned from Transitional (T) to Residential Multifamily Medium Density (RM-3) by Extension, subject to the Planning Commission approved development plan.

PASSED AND APPROVED THIS 1st DAY OF December, 2015.

APPROVED:



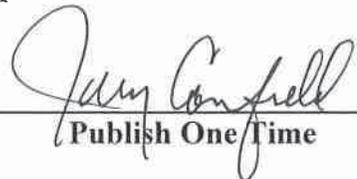
Mayor

ATTEST:



City Clerk

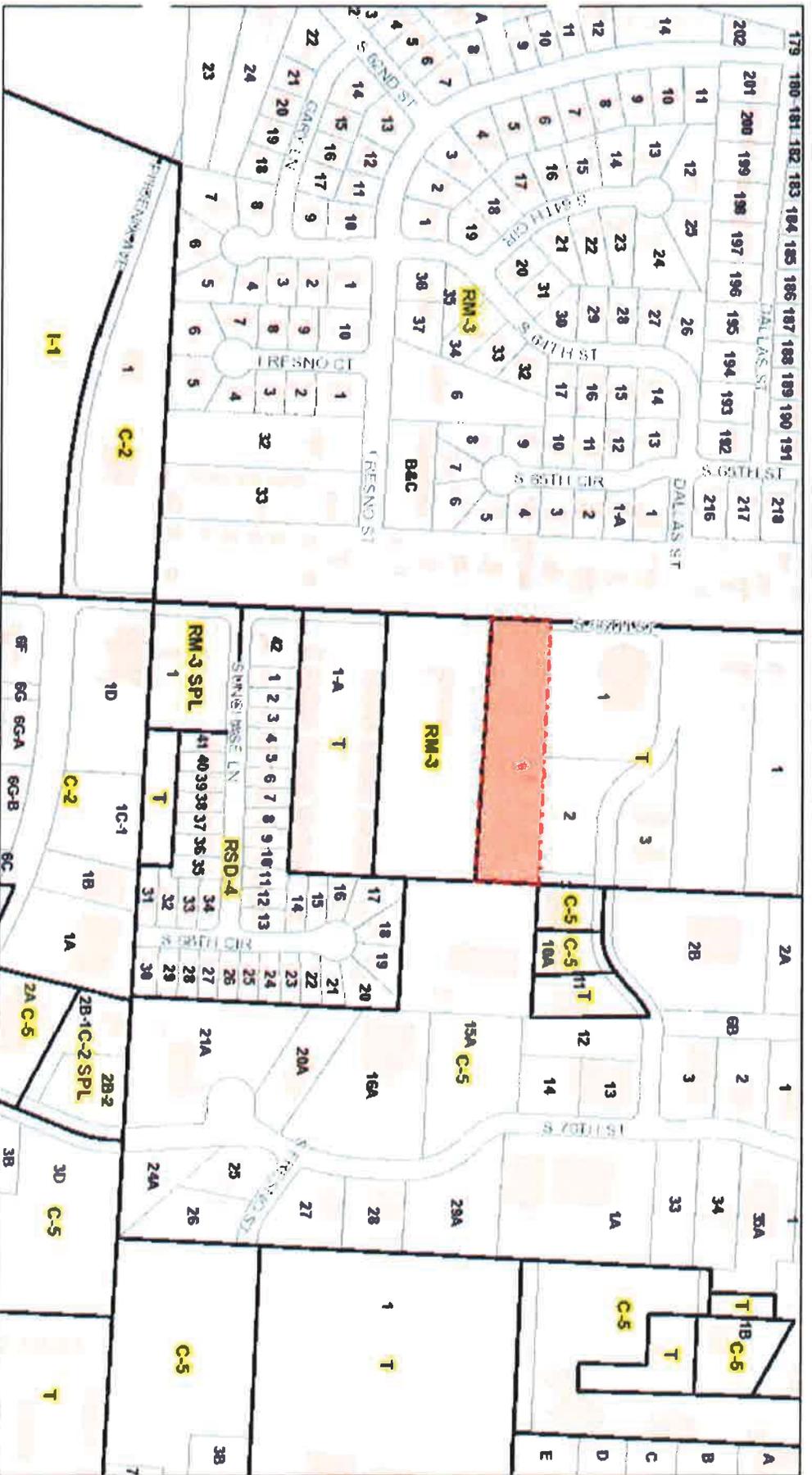
Approved as to form:



Publish One Time

Rezoning #19-11-15: From Transitional (T) to Residential Multifamily Medium Density (RM-3)
 3311 South 66th Street

Handwritten initials: "Lg" and "H"



- October 23, 2015
- Fort Smith City Limits
- Zoning
- Subdivisions

- Building Footprints



#7

ORDINANCE NO. 91-15

**AN ORDINANCE REZONING IDENTIFIED PROPERTY AND AMENDING THE
ZONING MAP**

WHEREAS, the City Planning Commission has heretofore held a public hearing upon request No. 20-11-15 to rezone certain properties hereinafter described, and, having considered said request, recommended on November 10, 2015, that said change be made;

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

SECTION 1: That the following properties to-wit:

Part of the Northeast Quarter of the Southwest Quarter, part of the Northwest Quarter of the Southeast Quarter, part of Government Lot 1 of the Northeast Quarter, and part of Government Lot 1 of the Northwest Quarter, all in Section 5, Township 7 North, Range 31 West, Fort Smith, Sebastian County, Arkansas. More particularly described as follows:

Commencing at the Southwest Corner of said Section 5, said corner being marked with an existing 1/2" rebar with cap stamped PLS 1272; Thence along the West Line of said Section 5, N 02°38'35" E, 2702.50 feet: Thence leaving said West Line, N 90°00'00" E, 1721.43 feet to set 1/2" rebar with cap stamped MWC 1369 on the easterly right-of-way line of Wells Lake Road and the Point of Beginning; Thence along said easterly right-of-way line, N 50°24'17" E, 971.36 feet to set 1/2" rebar with cap stamped MWC 1369; Thence leaving said easterly right-of-way line, S 39°33'58" E, 814.67 feet to the westerly right-of-way line of Veterans Avenue and a set 1/2" rebar with cap stamped MWC 1369; Thence along said westerly right-of-way line, S 50°24'51" W, 971.36 feet to set 1/2" rebar with cap stamped MWC 1369 ; Thence leaving said westerly right-of-way line, N 39°33'58" W, 814.51 feet to the Point of Beginning, containing 18.16 acres, more or less.

more commonly known as 6900 Veterans Avenue, should be, and is hereby rezoned from

Not Zoned to and Residential Single Family Duplex Medium/High Density (RSD-3) by
Classification.

PASSED AND APPROVED THIS 1st DAY OF December, 2015.

APPROVED:



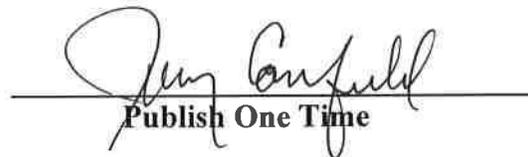
Mayor

ATTEST:



City Clerk

Approved as to form:



Publish One Time

Rezoning #20-11-15: From Not Zoned to Residential Single Family Duplex Medium/High Density (RSD-3) 6900 Veterans Avenue



October 27, 2015

Fort Smith City Limits

Zoning

Subdivisions

ORDINANCE NO. 92-15AN ORDINANCE REZONING IDENTIFIED PROPERTY AND AMENDING THE
ZONING MAP

WHEREAS, the City Planning Commission has heretofore held a public hearing upon request No. 21-11-15 to rezone certain properties hereinafter described, and, having considered said request, recommended on November 10, 2015, that said change be made;

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

SECTION 1: That the following properties to-wit:

From Not Zoned to Commercial Light (C-2)

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

Commencing at an existing 1/2" rebar with cap stamped PLS 1272 at the Southeast Corner of said Section 6; thence along the east line of said Section, N 02°38'35" E, 1617.27 feet; thence leaving said east line, S 59°15'55" E a distance of 314.33 feet; thence N 30°52'08" E a distance of 300.00 feet to the Point of Beginning; thence N 30°44'04" E a distance of 75.00 feet; thence S 59°15'56" E a distance of 150.18 feet; thence along a curve to the right having a radius of 1716.96 feet and a chord bearing and distance of S 30°53'59" W 1.84 feet; thence S 30°52'08" W a distance of 73.16 feet, thence N 59°15'55" W, a distance of 150.00 feet to the Point of Beginning, containing 0.258 acres, more or less.

From Not Zoned to Residential Single Family Duplex Medium/High Density (RSD-3)

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

Commencing at an existing 1/2" rebar with cap stamped PLS 1272 at the Southeast Corner of said Section 6; thence along the east line of said Section, N 02°38'35" E, 1617.27 feet; thence leaving said east line, S 59°15'55" E a distance of 314.33 feet; thence N 30°52'08" E a distance of 300.00 feet to the Point of Beginning; thence N 59°15'55" W a distance of 435.00 feet; thence N 32°15'40" E a distance of 75.02 feet; thence S 59°15'56" E a distance of 433.05 feet; thence S 30°44'04" W a distance of 75.00 feet to the Point of Beginning, containing 0.747 acres, more or less.

more commonly known as 7100-7200 Wells Lake Road, should be, and are hereby rezoned from Not Zoned to Commercial Light (C-2) and Residential Single Family Duplex Medium/High Density (RSD-3) by Classification.

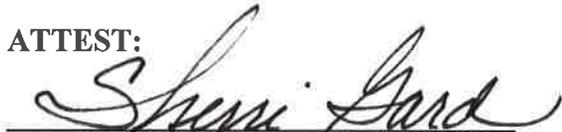
PASSED AND APPROVED THIS 15th DAY OF December, 2015.

APPROVED:



Mayor

ATTEST:



City Clerk

Approved as to form:



Publish One Time

Rezoning #21-11-15: From Not Zoned to Residential Single Family Duplex
 Medium/High Density (RSD-3) and Commercial Light (C-2) at 7100-7200 Wells Lake Road

119



October 27, 2015

-  Fort Smith City Limits
-  Zoning
-  Subdivisions



RESOLUTION NO. R-210-15

A RESOLUTION APPROVING A CONTRACT WITH DAILY & WOODS,
P.L.L.C. FOR GENERAL LEGAL SERVICES FOR 2016

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

The legal services agreement with Daily & Woods, P.L.L.C. for general legal
services for 2016 attached hereto is hereby approved. The Mayor is hereby
authorized to execute said agreement on behalf of the city.

THIS RESOLUTION PASSED THIS 1st DAY OF December, 2015.

APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


No Publication Required

RESOLUTION NO. R-211-15

RESOLUTION ACCEPTING COMPLETION OF AND
AUTHORIZING FINAL PAYMENT TO PLAYCORE WISCONSIN, INC.
DOING BUSINESS AS GAMETIME FOR THE
DEVELOPMENT OF IMANI (FIANNA WAY) AND
STAGECOACH (TEXAS ROAD) NEIGHBORHOOD PARKS

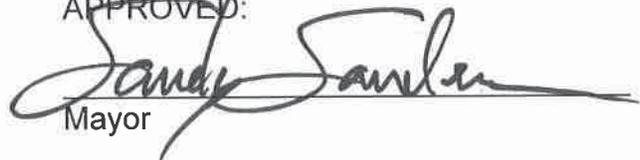
BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT
SMITH, ARKANSAS, that:

SECTION 1: The City of Fort Smith hereby accepts construction of the above
captioned project as complete.

SECTION 2: Final payment is hereby authorized in the amount of \$158,589.46 to
the contractor, Playcore Wisconsin, Inc., doing business as GameTime, for the above
captioned project.

This Resolution adopted this 1st day of December, 2015.

APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM


npr

RESOLUTION NO. R-212-15

**A RESOLUTION AUTHORIZING THE EXECUTION OF A
MEMORANDUM OF UNDERSTANDING BETWEEN
WILLIAMS-CRAWFORD & ASSOCIATES AND THE CITY OF
FORT SMITH FOR THE ESTABLISHMENT AND OPERATION
OF A SUBSTATION FOR THE CITY'S POLICE DEPARTMENT
AT 421 NORTH "D" STREET**

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

Section 1: The Memorandum of Understanding between Williams-Crawford & Associates and the City of Fort Smith, which shall be substantially in the form attached hereto, is hereby approved and provides for the terms, conditions, and mutual understandings for the establishment of a Fort Smith Police Department Substation at 421 North "D" Street in Fort Smith.

Section 2: The Mayor, his signature being attested by the City Clerk, is hereby authorized to execute this Memorandum of Understanding to which the City of Fort Smith is a party.

THIS RESOLUTION ADOPTED this 1st day of December 2015.

APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to Form:


No Publication Required

RESOLUTION AUTHORIZING AMENDMENT NUMBER TWO TO AUTHORIZATION NUMBER ONE WITH MORRISON-SHIPLEY ENGINEERS, INC., FOR ADDITIONAL WORK TO DESIGN THE REPLACEMENTS FOR LIFT STATIONS 15, 16, 17 AND 23

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

SECTION 1: Amendment Number Two to Authorization Number One under the Agreement with Morrison-Shipley Engineers, Inc., for additional engineering services associated with the Replacements of Lift Stations 15, 16, 17 and 23, Project Number 12-15-ED1, is hereby approved.

SECTION 2: The Mayor is hereby authorized to execute Amendment Number Two in the amount of \$10,076.75, for additional engineering design services, adjusting Authorization Number One to \$165,576.75.

This Resolution adopted this 1st day of December 2015.

APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:

 npr

RESOLUTION NO. R-214-15 9 H

RESOLUTION ACCEPTING THE BID OF AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH KAJACS CONTRACTORS, INC., FOR THE REPLACEMENT OF LIFT STATIONS 15, 16, 17 AND 23

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

SECTION 1: The bid of KAJACS Contractors, Inc., for the construction of the Replacement of Lift Stations 15, 16, 17 and 23, Project Number 12-15-C1, is hereby accepted.

SECTION 2: The Mayor is hereby authorized to execute a contract with KAJACS Contractors, Inc., for an amount of \$1,507,605.00, for performing said construction.

This Resolution adopted this 1st day of December 2015.

APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


npr

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE TWO DEEDS WITH FORT CHAFFEE REDEVELOPMENT AUTHORITY FOR THE ACQUISITION OF REAL PROPERTY INTERESTS IN CONNECTION WITH THE CHAFFEE CROSSING SANITARY SEWER AND AREA "F" SEWER PROJECTS

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

The Mayor is hereby authorized to execute two special warranty deeds with Fort Chaffee Redevelopment Authority at Chaffee Crossing for the acquisition of two sewer pump station sites in connection with the Chaffee Crossing Sewer Pump Station and Area "F" Sewer Pump Station, Project Number 13-04.

This Resolution adopted this 15th day of December 2015.

APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


npr

RESOLUTION ACCEPTING THE PROJECT AS COMPLETE AND
AUTHORIZING FINAL PAYMENT TO ARCHER WESTERN CONSTRUCTION,
LLC, FOR CONSTRUCTION OF THE ZERO STREET PUMP STATION WET
WEATHER IMPROVEMENTS – PUMP STATION AND EQ STORAGE

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

SECTION 1: The construction of the Zero Street Wet Weather Improvements - Pump
Station and EQ Storage, Project Number 09-17-C2, is accepted as complete.

SECTION 2: Final payment to Archer Western Construction, LLC, in the amount of
\$573,176.16, is hereby approved.

This Resolution adopted this 1st day of December 2015.

APPROVED:



Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:

 npr

9K.

RESOLUTION R-217-15

A RESOLUTION AUTHORIZING SETTLEMENT OF THE CITY'S JUST COMPENSATION CLAIMS IN THE EMINENT DOMAIN ACTION FILED BY ARKANSAS VALLEY ELECTRIC COOPERATIVE CORPORATION REGARDING LANDFILL PROPERTY AND AUTHORIZING THE ACTING CITY ADMINISTRATOR AND CITY ATTORNEY TO EFFECTUATE THE SETTLEMENT

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

SECTION 1: The proposed settlement of the City's just compensation claims relative to the acquisition of permanent electric utility easements across portions of the City's landfill properties by Arkansas Valley Electric Cooperative Corporation in the amount of \$151,250.00 is hereby accepted. As a result of the \$58,240.00 paid to the United States Department of Health and Human Services for the Release and Abrogation of Conditions Subsequent with reference to a portion of the property as authorized by Resolution No. R-153-15, the net compensation payable to the City of Fort Smith is the sum of \$92,966.00.

SECTION 2: The Acting City Administrator and the City Attorney are hereby authorized to take any and all necessary actions and execute any necessary documents to effectuate the settlement of the just compensation claims and the dismissal of the litigation styled as Arkansas Valley Electric Cooperative Corporation v. City of Fort Smith, Arkansas, Sebastian County Circuit Court Case No. CIV-2015-472 (VI).

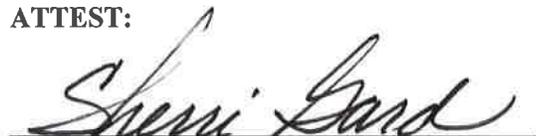
THIS RESOLUTION ADOPTED this 1st day of December, 2015.

APPROVED:



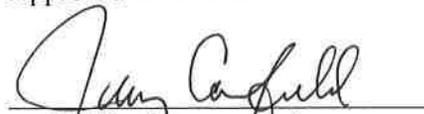
Mayor

ATTEST:



City Clerk

Approved as to form:



No Publication Required