

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 15, 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

Director Don Hutchings

ROLL CALL

- All present, except Directors Andre’ Good & Tracy Pennartz (Director Good arrived during review of Item No. 4)
- 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 DECEMBER 1, 2015 REGULAR MEETING

APPROVED as written

ITEMS OF BUSINESS:

1. Ordinance amending the Fort Smith Municipal Code to add a section to Chapter 4 to make it unlawful to offer any live animal as an incentive to buy an item, or to offer any live animal as a prize in a contest, raffle, game of chance, or auction; and providing an exemption for livestock (horses, mules, cattle, bison, sheep, goats, swine, camelids), goldfish less than four (4) inches in length, and for any FFA or 4-H related animal activity and for any federally recognized 501(c)(3) organization ~ *Good/Settle placed on agenda at the December 8, 2015 study session ~*

APPROVED 5 in favor, 0 opposed / Ordinance No. 93-15

2. Ordinance amending the 2015 Operating Budget
APPROVED 5 in favor, 0 opposed / Ordinance No. 94-15
3. Resolution authorizing the Mayor to execute an agreement with Hawkins Weir Engineers, Inc. for providing engineering services for the Waste Water Pump Station / Force Main Evaluations (\$1,820,740.00 / Utility Department / Budgeted – 2014 Sales and Use Tax Bonds & upcoming 2015 Water and Sewer Revenue Bonds) ♦
APPROVED 5 in favor, 0 opposed / Resolution No. R-218-15
4. 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) ♦
APPROVED 6 in favor, 0 opposed / Resolution No. R-219-15
5. Consent Agenda
 - A. Resolution adopting the 2016 Audit Plan
APPROVED 6 in favor, 0 opposed / Resolution No. R-220-15
 - B. Resolution authorizing a time extension for the construction of 2014 Street Overlay / Reconstruction, Phase C, Project No. 14-03-C (134 days)
APPROVED 6 in favor, 0 opposed / Resolution No. R-221-15
 - C. Resolution accepting completion of and authorizing final payment for the construction of 2014 Street Overlay / Reconstruction, Phase C, Project No. 14-03-C (\$114,111.69 / Engineering Department / Budgeted – Sales Tax Program Fund)
APPROVED 6 in favor, 0 opposed / Resolution No. R-222-15
 - D. Resolution authorizing an amendment to the engineering services agreement for the South 46th Street Drainage Improvements, Project No. 12-06-B (\$20,000.00 / Engineering Department / Budgeted – Sales Tax Program Fund)
APPROVED 6 in favor, 0 opposed / Resolution No. R-223-15
 - E. Resolution authorizing engineering services agreements for the design of five (5) projects in the 2016 Sales Tax Program (\$621,278.00 / Engineering Department / Budgeted – Sales Tax Program Fund)
APPROVED 6 in favor, 0 opposed / Resolution No. R-224-15
 - F. Resolution approving specific excess insurance and aggregate excess insurance for the City's employee health coverage
APPROVED 5 in favor, 1 opposed (Settle) / Resolution No. R-225-15

- G. Resolution approving claim service, specific excess insurance and aggregate excess insurance for the City's workers' compensation coverage
APPROVED 5 in favor, 1 opposed (Settle) / Resolution No. R-226-15
- H. Resolution accepting the bid and authorizing a contract with Crawford Construction for the construction of the ball field improvements at Martin Luther King Jr. Park (\$248,142.00 / Parks Department / 1/8% Sales and Use Tax, and Arkansas Parks and Tourism Grant)
APPROVED 6 in favor, 0 opposed / Resolution No. R-227-15
- I. Resolution authorizing the Mayor to execute supplemented Sebastian County Parks Department trail easement
APPROVED 6 in favor, 0 opposed / Resolution No. R-228-15
- J. Resolution authorizing the execution of a non-residential solid waste collection and disposal permit and agreement with JEF Enterprises, Inc.
APPROVED 6 in favor, 0 opposed / Resolution No. R-229-15
- K. Resolution authorizing the execution of a non-residential solid waste collection and disposal permit and agreement with Miller Truck Lines, LLC
APPROVED 6 in favor, 0 opposed / Resolution No. R-230-15
- L. Resolution authorizing the execution of a non-residential solid waste collection and disposal permit and agreement with American Composting Inc.
APPROVED 6 in favor, 0 opposed / Resolution No. R-231-15
- M. Resolution authorizing the agreement between the City of Fort Smith, Arkansas and Baldor Electric Company to jointly design, construct and fund intersection and radius improvements along R.S. Boreham Jr. Street at its intersection with Highway 271, Project No. 16-09-B (\$200,000.00 / Engineering Department / Not Budgeted – Sales Tax Program Fund)
APPROVED 6 in favor, 0 opposed / Resolution No. R-232-15

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-ofdirectors-meetings>

EXECUTIVE SESSION *(approximately 6:13 p.m.)*

Appointments: **FIRE CODE BOARD OF APPEALS**
Andrea Mooneyham
Term expires October 30, 2019

**SEBASTIAN COUNTY REGIONAL SOLID WASTE
MANAGEMENT BOARD**
Director Mike Lorenz (reappointment)
Carl Davis (reappointment)
Terms expire January 21, 2019

ADJOURN
6:18 p.m.

ORDINANCE NO. 93-15

AN ORDINANCE AMENDING THE FORT SMITH MUNICIPAL CODE TO ADD A SECTION TO CHAPTER 4 TO MAKE IT UNLAWFUL TO OFFER ANY LIVE ANIMAL AS AN INCENTIVE TO BUY AN ITEM, OR TO OFFER ANY LIVE ANIMAL AS A PRIZE IN A CONTEST, RAFFLE, GAME OF CHANCE, OR AUCTION; AND PROVIDING AN EXEMPTION FOR LIVESTOCK (HORSES, MULES, CATTLE, BISON, SHEEP, GOATS, SWINE, CAMELIDS), GOLDFISH LESS THAN FOUR (4) INCHES IN LENGTH, AND FOR ANY FFA OR 4-H RELATED ANIMAL ACTIVITY AND FOR ANY FEDERALLY RECOGNIZED 501(c)3 ORGANIZATION

WHEREAS, the Animal Service Advisory Board has recommended to the Board of Directors of the City of Fort Smith, Arkansas, a certain additional regulation providing for the protection of domestic animals, and the Board of Directors, having determined that such additional regulation is necessary,

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

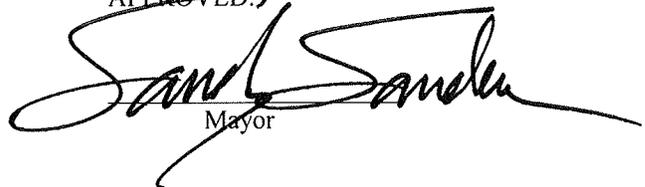
Section 1: A section should be added to Chapter 4 (Animals) of the Fort Smith Municipal Code to read as follows:

It is unlawful to offer any live animal as an incentive to buy an item, or to offer any live animal as a prize in a contest, raffle, game of chance, or auction. This shall not apply, however, to livestock (horses, mules, cattle, bison, sheep, goats, swine, camelids), goldfish less than four (4) inches in length, or to any FFA (Future Farmers of America) or 4-H related animal activity, or to any federally recognized 501(c)3 organization.

Section 2: The codifier at its discretion shall place this in an appropriate place in Chapter 4 (Animals) of the Fort Smith Municipal Code.

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

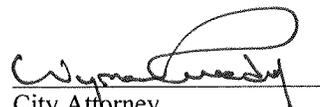
APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to form:


City Attorney
Publish 1 Time

ORDINANCE NO. 94-15

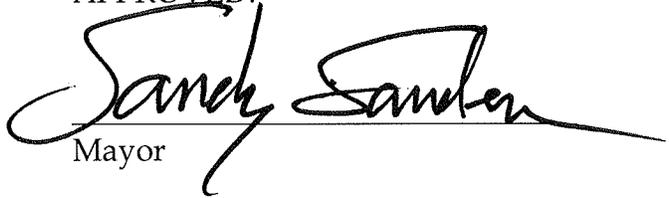
AN ORDINANCE AMENDING THE 2015 BUDGET

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

Section 1: The revised 2015 revenue estimates as listed for the General Fund on Exhibit 1 and the Street Maintenance Fund on Exhibit 2 are hereby approved.

PASSED AND APPROVED THIS 15th DAY OF DECEMBER 2015.

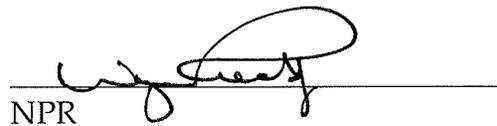
APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to form:


NPR

**General Fund
Revenue Comparisons
2015**

**Exhibit 1
12/10/15**

	<u>Budget FY 15</u>	<u>Estimated FY 15</u>
Intergovernmental		
State Turnback - General	\$ 1,284,514	\$ 1,182,531
Transit Reimbursement	1,698,800	1,660,000
Airport Security Reimbursement	120,000	118,500
State Act 833 Fire Funds	99,000	97,950
Taxes and Assessments		
Franchise	6,796,600	6,458,000
Ad Valorem	6,991,700	6,925,000
County Sales Tax	15,895,000	16,028,000
1/4% City Sales Tax - Fire & Parks	4,965,076	5,078,000
Gasoline Tax Refund - Transit	12,000	11,100
Court Fines and Forfeitures	2,225,000	2,150,000
Licenses and Permits		
Privilege	18,000	15,000
Construction	690,000	820,000
Alcohol	668,050	570,000
Other	86,350	75,500
Service Charges and Fees		
Community Centers	32,500	31,000
Fire Protection Contracts	60,843	62,000
Port Authority	25,000	20,700
Parks and Aquatics	185,000	180,000
Oak Cemetery	83,000	84,000
Animal Control	500	240
False Alarm Fees	20,000	30,000
Mobile Data Support Fees	49,280	19,000
Transit System	207,500	228,000
Miscellaneous		
Reimbursement from Airport	3,163	3,163
Interest Earned	25,000	23,000
Sebastian County Participation	584,706	450,000
Reimbursement from 911 Fund	255,000	255,250
Reimbursement from FSPS for SROs	116,000	117,456
Other	92,200	60,000
Transfers		
Sales Tax Fund	2,698,000	2,698,000
A & P Fund	21,480	21,480
Street Maintenance Fund	90,610	90,610
Water & Sewer Operating Fund	90,610	90,610
Sanitation Operating Fund	90,610	90,610
Total	<u><u>\$ 46,281,092</u></u>	<u><u>\$ 45,744,700</u></u>

Street Maintenance Fund
 Revenue Comparisons
 2015

Exhibit 2

	<u>Budget</u> FY 15	<u>Estimated</u> FY 15
Intergovernmental		
State Turnback - Gasoline Tax	\$ 4,013,029	\$ 3,800,000
State Turnback - Highway Sales Tax	1,535,562	1,540,000
Taxes and Assessments		
Ad Valorem	2,097,120	2,060,000
Licenses and Permits		
Sidewalk Permit Assessment	165,000	135,000
Miscellaneous		
Interest Earned	3,500	3,900
Other	5,000	22,125
Transfers		
W/S Operating Fund	-	-
	<u> </u>	<u> </u>
Total	<u>\$ 7,819,211</u>	<u>\$ 7,561,025</u>

RESOLUTION NO. R-218-15 3

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH
HAWKINS WEIR ENGINEERS, INC., FOR PROVIDING ENGINEERING SERVICES
FOR THE WASTEWATER PUMP STATION/FORCE MAIN EVALUATIONS

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
engineering services associated with the Wastewater Pump Station/Force Main Evaluations,
Project Number 15-19-ED1, is hereby approved.

SECTION 2: The Mayor is hereby authorized to execute an Agreement for professional
engineering services in the amount of \$1,820,740.00.

This Resolution adopted this 15th day of December 2015.

APPROVED:



Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



npr

RESOLUTION NO. R-219-15 4

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AUTHORIZATION
NUMBER TWO TO THE AGREEMENT WITH MORRISON-SHIPLEY
ENGINEERS, INC., FOR ENGINEERING SERVICES FOR THE
REPLACEMENT OF LIFT STATIONS 15, 16, 17 AND 23

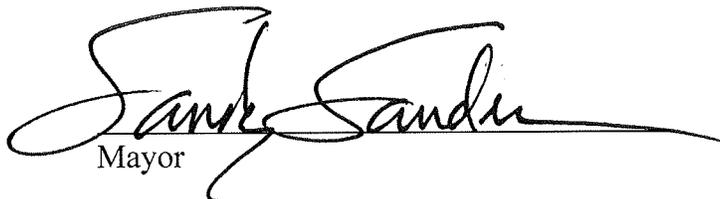
BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT
SMITH, ARKANSAS, that:

SECTION 1: Authorization Number Two with Morrison-Shipley Engineers, Inc., for
engineering construction phase services associated with the Replacement of Lift Stations 15,
16, 17 & 23, Project Number 12-15-EC1, is hereby approved.

SECTION 2: The Mayor is hereby authorized to execute the Authorization Number
Two in the amount of \$198,000.00, for performance of said services.

This Resolution adopted this 15th day of December 2015.

APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


npr

RESOLUTION NO. R-220-15

RESOLUTION ADOPTING THE 2016 AUDIT PLAN

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

SECTION 1: The action taken by the Board of Directors at the December 15, 2015 meeting adopting the 2016 Audit Plan, a copy of which is attached hereto, is hereby confirmed. The Audit Plan encompasses financial, operations and compliance issues as set forth in the City of Fort Smith's Internal Audit Charter.

SECTION 2: During 2016, other auditable areas that have been identified and addressed of any risk or potential risk due to certain circumstances arising may be added to the 2016 audit plan.

Passed and Approved this 15th day of December, 2015.

APPROVED


MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


City Attorney
NPR

City of Fort Smith 2016 Internal Audit Plan



The City of Fort Smith is a unified team committed to consistently providing citizen-focused services for the advancement of a thriving community

December 15, 2015

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Internal Audit Defined

Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

Source: The Institute of Internal Auditors Professional Standards

2016 Internal Audit Planning and Approach

To create the 2016 Internal Audit Plan, IA has gathered information to understand the primary strategies, objectives, and risks for the City of Fort Smith. In addition, IA attended 2015 Board Meetings to also assess the items that were addressed throughout the year that could potentially impact the City financially and operationally.

Internal Audit also considered Audit Advisory Committee members input, and areas within the Consent Decree that will impact the City for the next twelve years. Projects were then selected for the 2016 Internal Audit Plan based primarily upon the degree to which the projects might address key risks identified during the risk assessment and planning process.

Due to severity of the Consent Decree and the millions of dollars that the City will have to spend in the coming years to implement the Wastewater Management Plan, the approach and planned projects for 2016 is to perform a full assessment in those specific areas. As well as, several other areas identified throughout the year in Finance and Sanitation.

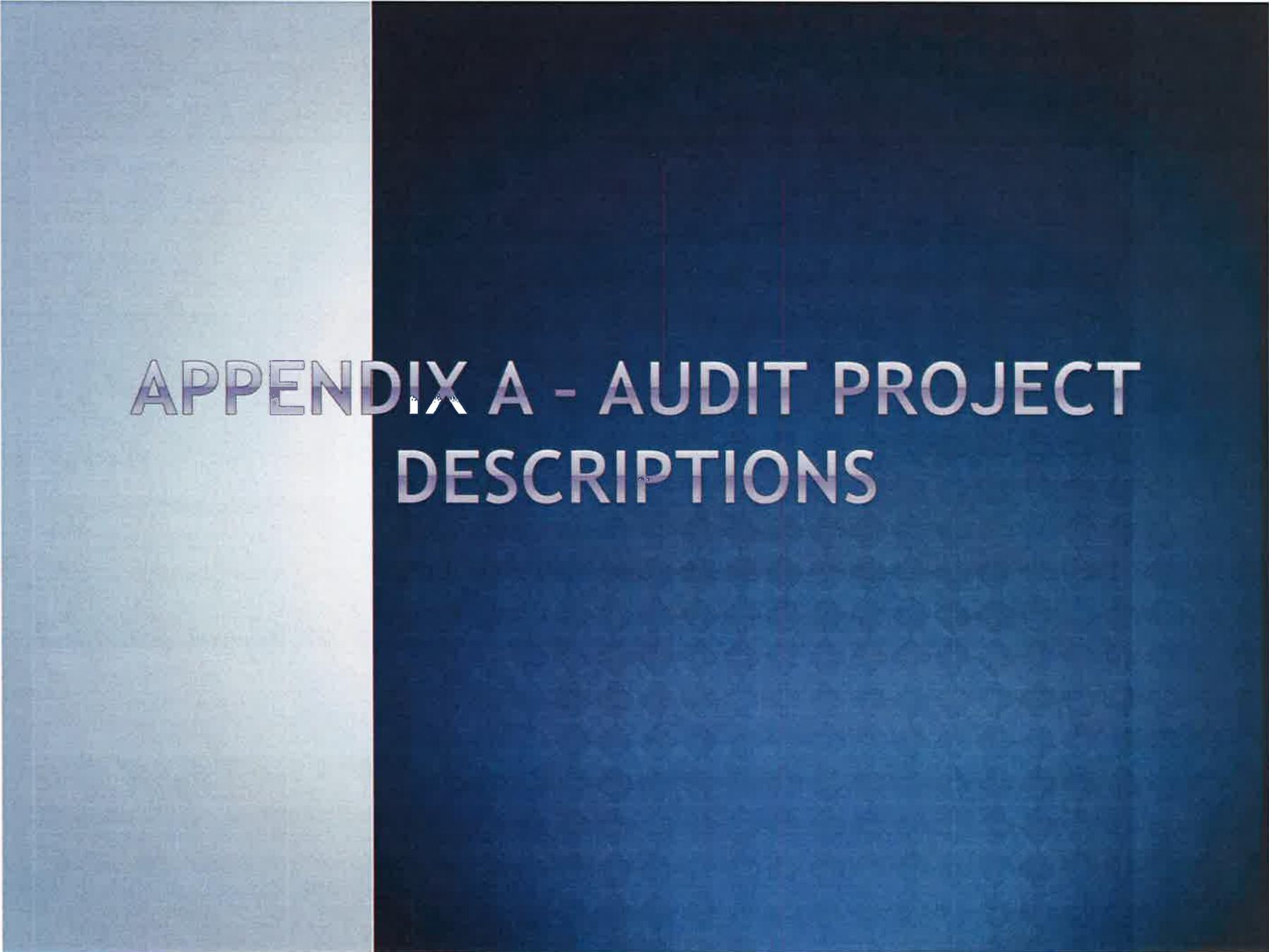
Process walkthroughs will be documented as well as flowcharts that address the risk and controls in each of those significant areas. This will allow for the City to identify and address any risk or potential risk as the City implements each requirement of the Consent Decree.

Internal Audit will update the planned projects and provide the updated planned projects to the Board of Directors, the City Administrator, and the Audit Advisory Committee throughout the year.

Summary of Identified Projects

Based upon the risks identified, IA has classified the planned and potential projects included in the following table. IA estimates it will perform them between January 2016 and December 2016, depending on the scope of projects selected. “Planned Projects” represent those projects that IA is planning to execute during 2016. “Other Potential Projects” may be executed some time in 2016, if risk conditions or other factors do not dictate a change. Detailed descriptions of the projects listed below are provided in Appendix A – Audit Project Descriptions.

Department/Segment	Project - Planned Audit	Other Potential Audit
Utility – W&WW Line Maintenance	Water Line & Sewer Line	
Utility – W&WW Line Maintenance	Water Stationary Equipment	
Utility - Maintenance	Construction	
Utility – W&WW Treatment	Lab Service/Industrial Waste Monitoring	
Utility – W&WW Treatment	Treatment Centers	
Finance	Disbursements	
Sanitation	Environmental Reporting	
Sanitation	Residential, Commercial, and Roll-Off Industrial Collections	



APPENDIX A - AUDIT PROJECT DESCRIPTIONS

Project	Project Description	Segment	
Water & Sewer Line Maintenance	<p>Perform process and controls review of the City's Water and Sewer Line Maintenance and contracting activities including asset transfers and disposals, sourcing, security over assets, asset usages, and auctioning of the City' to include:</p> <ul style="list-style-type: none"> • Review existing documentation (policies and procedures, consent decree requirements, etc.) • Process Flowchart • Identify opportunities for improvement and control gaps <p>And any other areas identified during the process review.</p>	Utility – W&WW Line Maintenance	
Water Stationary Equipment	<p>To perform process and control review of the City's Water Stationary Equipment. Review existing documentation, document walkthrough and flowchart the process along with the risk and controls.</p> <p>To include the ability to maintain adequate backup power sources to prevent the discharge of untreated or inadequately treated wastes during electrical power failures. And any other areas identified during the review process.</p>	Utility – W&WW Line Maintenance	
Construction	<p>Document process walkthroughs as well as flowcharting the risk and controls. Review existing documentation, the design and construction of Publicly Owned Treatment Works improvements which includes upgrading of both Wastewater Treatment Plants, and construction of certain interceptor sewers. Also the construction of the Sunnymede wet weather pump station and equalization storage facility, and any other areas identified during the review process.</p>	Utility - Maintenance	
Lab Service/Industrial Waste Monitoring	<p>Review existing documentation (policies and procedures, consent decree requirements, etc..) and conduct walkthroughs of the process. As well as performing process flowcharts that identify the risk and controls.</p> <p>Perform process and controls of the City's Waste Monitoring to include the discharging of untreated sewage in the form of sanitary sewer overflows from its Wastewater Collection and Transmission Systems.</p> <p>And any other areas identified during the review process.</p>	Utility – W&WW Treatment	

Project	Project Description	Segment	
Treatment Centers	<p>Review the overall process, risks and controls for the upgrading of both Wastewater Treatment Plants. Including the following:</p> <ul style="list-style-type: none"> • Review existing documentation (policies and procedures, consent decree requirements, etc.) • Process Flowchart • Identify opportunities for improvement and control gaps <p>And any other areas identified during the process review.</p>	Utility – W&WW Treatment	
Disbursements	<p>Perform an overall process and controls review of disbursements, to include Purchase Orders (PO's) and Request for Pay (RFP). Additional purposes for this review is to assess the current policy and procedures that are in place, and identify opportunities for improvement and control gaps. Testing will also be included the review. And any other areas identified during the process review.</p>	Finance/AP	
Residential, Commercial, and Roll-Off Industrial Collections	<p>Review the overall process, risks and controls for the three different areas of collections which may impact any compliances, revenues and/or future revenues to the City . To include documenting process flowcharts, conduct interviews with personnel to understand the current process and known issues, and identify opportunities for improvement and control gaps. Any other areas identified during the process review.</p>	Sanitation	

RESOLUTION R-221-15

**A RESOLUTION AUTHORIZING A TIME EXTENSION FOR THE
CONSTRUCTION OF 2014 STREET OVERLAY/RECONSTRUCTION PHASE C
PROJECT NO. 14-03-C**

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

SECTION 1: A time extension with Forsgren, Inc., for the construction of 2014 Street Overlay/Reconstruction Phase C, Project 14-03-C, which increases the contract time by 134 calendar days, is hereby approved.

This resolution adopted this 15th day of December, 2015.

APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to Form


 No Publication Required

RESOLUTION R-222-15

A RESOLUTION ACCEPTING COMPLETION OF AND
AUTHORIZING FINAL PAYMENT FOR THE CONSTRUCTION OF
2014 STREET OVERLAY/RECONSTRUCTION PHASE C
PROJECT NO. 14-03-C

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

SECTION 1: The City of Fort Smith hereby accepts the construction of the 2014 Street Overlay/Reconstruction Phase C, as complete.

SECTION 2: Final payment is hereby authorized in the amount of \$114,111.69 to the contractor, Forsgren, Inc., for the 2014 Street Overlay/Reconstruction Phase C, Project No. 14-03-C.

This Resolution adopted this 15th day of December, 2015.

APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to Form


 No Publication Required

RESOLUTION R-223-15

**A RESOLUTION AUTHORIZING AN AMENDMENT
TO THE ENGINEERING SERVICES AGREEMENT FOR
THE SOUTH 46TH STREET DRAINAGE IMPROVEMENTS
PROJECT NO. 12-06-B**

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

SECTION 1: Amendment No. 1 to the engineering services agreement with Morrison Shipley Engineers, Inc., for the South 46th Street Drainage Improvements, Project 12-06-B which increases the contract amount by \$20,000.00 to an adjusted contract amount of \$167,090.00, is hereby approved.

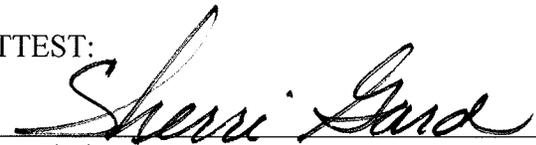
SECTION 2: Payment for engineering services authorized by Section 1 is hereby authorized from the Sales Tax Fund (1105).

This resolution adopted this 15th day of December, 2015.

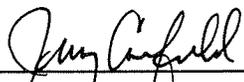
APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to Form


 No Publication Required

RESOLUTION NO. R-224-15

**A RESOLUTION AUTHORIZING ENGINEERING SERVICES
AGREEMENTS FOR THE DESIGN OF FIVE PROJECTS IN THE
2016 SALES TAX PROGRAM**

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

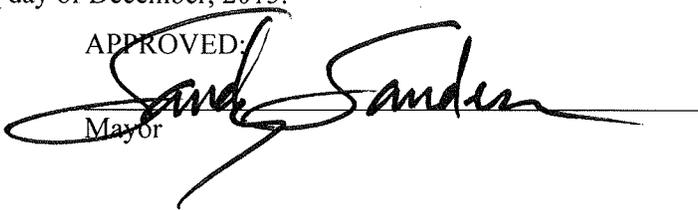
SECTION 1: The Mayor is authorized to execute engineering services agreements for the design of the following projects in the 2016 Sales Tax Program utilizing the one cent sales tax proceeds.

Project No.	Description	Engineering Firm	Maximum Fee
16-03-A	Street Overlays / Reconstruction, Phase A	McGuire Engineering Fort Smith, AR	\$82,500.00
16-06-A	Neighborhood Drainage, Phase A	Philip J. Leraris, P.E., L.S. Fort Smith, AR	\$214,540.00
16-06-B	Neighborhood Drainage, Phase B	Mickle Wagner Coleman Fort Smith, AR	\$99,538.00
16-06-C	Neighborhood Drainage, Phase C	Hawkins-Weir Engineers Van Buren, AR	\$87,700.00
16-12-A	Drainage Study – Mill Creek Tributary	Morrison Shipley Fort Smith, AR	\$137,000.00

SECTION 2: Payment for engineering services authorized by Section 1 is hereby authorized from the Sales Tax Fund (1105).

This Resolution adopted this 15th day of December, 2015.

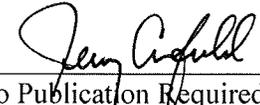
APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to Form


 No Publication Required

RESOLUTION NO. R-225-15

A RESOLUTION APPROVING SPECIFIC EXCESS INSURANCE AND AGGREGATE EXCESS INSURANCE FOR THE CITY'S EMPLOYEE HEALTH COVERAGE

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

Section 1: The Agreement with Aetna Insurance Company to provide Specific Excess Insurance and Aggregate Insurance for the year 2016 for the Self-Funded Health Coverage program for employees of the City of Fort Smith, Arkansas is accepted.

Section 2: The City Administrator, or designee, is hereby authorized to execute all documents necessary to bind coverage and secure the claims service.

THIS RESOLUTION PASSED THIS 15th DAY OF December, 2015.

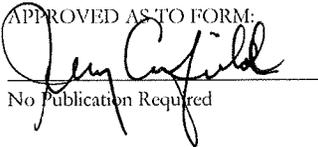
APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


No Publication Required

RESOLUTION NO. R-226-15

A RESOLUTION APPROVING CLAIM SERVICE, SPECIFIC EXCESS INSURANCE AND AGGREGATE EXCESS INSURANCE FOR THE CITY'S WORKERS' COMPENSATION COVERAGE

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

Section 1: The renewal agreement with Central Adjustment Corporation, Inc. to provide Claims Administration and the agreement with Regions Insurance to provide Specific Excess Insurance and Aggregate Insurance for the year 2016 for the Self-Insured Workers' Compensation program for employees of the City of Fort Smith, Arkansas is accepted.

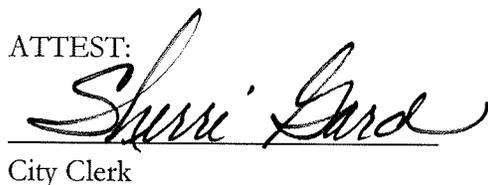
Section 2: The City Administrator, or designee, is hereby authorized to execute all documents necessary to bind coverage and secure the claims service.

THIS RESOLUTION PASSED THIS 15th DAY OF December, 2015.

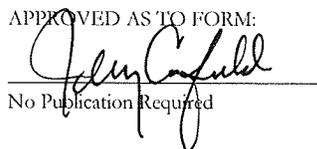
APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


No Publication Required

RESOLUTION NO. R-227-15

A RESOLUTION ACCEPTING BID AND AUTHORIZING
A CONTRACT WITH CRAWFORD CONSTRUCTION
FOR THE CONSTRUCTION OF THE BALLFIELD
IMPROVEMENTS AT MARTIN LUTHER KING JR PARK

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

SECTION 1: The bid of Crawford Construction for construction of the ballfield
improvements at Martin Luther King Jr. Park is hereby accepted.

Section 2: The Mayor is hereby authorized to execute a contract with Crawford
Construction for an amount not to exceed \$248,142.00, for construction of the ballfield
improvements at Martin Luther King Jr Park.

This Resolution adopted this 15th day of December, 2015.

APPROVED:



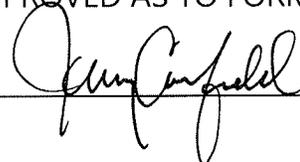
Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM



npr

RESOLUTION NO. R-228-15

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE SUPPLEMENTED SEBASTIAN COUNTY PARKS DEPARTMENT TRAIL EASEMENT

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

WHEREAS, on October 15, 2013, the City of Fort Smith and Sebastian County executed a Sebastian County Parks Department Trail Easement ("Trail Easement") between Sebastian County, Arkansas and the City of Fort Smith, Arkansas, which Trail Easement was recorded in the Sebastian County real property records on October 21, 2013;

WHEREAS, the Trail Easement anticipated the necessity of approval by the United States Department of Health and Human Services ("HHS");

WHEREAS, after application to HHS, HHS has indicated consent to the grant of the Trail Easement by the City to Sebastian County subject to approval of a supplement to the Trail Easement indicating that the Trail Easement is subject to the terms and conditions of the Quit Claim Deed dated September 2, 2002, by which the subject real property was conveyed by the United States to the City of Fort Smith.

NOW, THEREFORE, the Mayor is authorized to execute, his signature being attested by the City Clerk, the attached Supplemented Sebastian County Parks Department Trail Easement confirming the extension to Sebastian County, Arkansas, of an easement for walking trail improvements across Fort Smith landfill property in consideration of the public park benefits accruing to the citizens of Fort Smith and Sebastian County. The City Administrator and the City Attorney are hereby authorized to apply for the consent of the United States to the Supplemented Sebastian County Parks Department Trail Easement and to record the Supplemented Sebastian County Parks Department Trail Easement.

THIS RESOLUTION ADOPTED this 15th day of December, 2015.

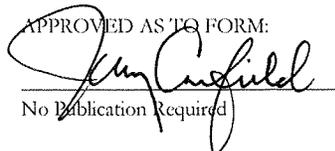
APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


No Publication Required

5J

RESOLUTION NO. R-229-15

**A RESOLUTION AUTHORIZING THE EXECUTION OF A NON-RESIDENTIAL
SOLID WASTE COLLECTION AND DISPOSAL PERMIT AND AGREEMENT WITH
JEF ENTERPRISES, 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 JEF Enterprises, Inc.

This resolution adopted this 15th day of December, 2015.

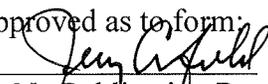
APPROVED:


MAYOR

ATTEST:


CITY CLERK

Approved as to form:


 No Publication Required
 Publish ___ Times

5K

RESOLUTION NO. R-230-15

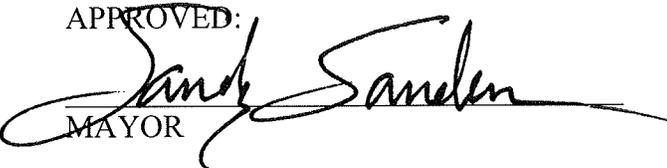
**A RESOLUTION AUTHORIZING THE EXECUTION OF A NON-RESIDENTIAL
SOLID WASTE COLLECTION AND DISPOSAL PERMIT AND AGREEMENT WITH
MILLER TRUCK LINES, LLC**

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 Miller Truck Lines, LLC

This resolution adopted this 15th day of December, 2015.

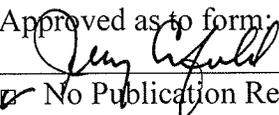
APPROVED:


MAYOR

ATTEST:


CITY CLERK

Approved as to form:


 No Publication Required
 Publish ___ Times

5L

RESOLUTION NO. R-231-15

**A RESOLUTION AUTHORIZING THE EXECUTION OF A NON-RESIDENTIAL
SOLID WASTE COLLECTION AND DISPOSAL PERMIT AND AGREEMENT WITH
AMERICAN COMPOSTING 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 American Composting Inc.

This resolution adopted this 15th day of December, 2015.

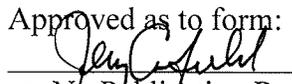
APPROVED:


MAYOR

ATTEST:


CITY CLERK

Approved as to form:


 No Publication Required
 Publish Times

5M

RESOLUTION R 232-15

A RESOLUTION AUTHORIZING THE AGREEMENT BETWEEN THE CITY OF FORT SMITH, ARKANSAS AND BALDOR ELECTRIC COMPANY TO JOINTLY DESIGN, CONSTRUCT, AND FUND INTERSECTION AND RADIUS IMPROVEMENTS ALONG R.S. BOREHAM JR. STREET AT ITS INTERSECTION WITH HIGHWAY 271, PROJECT NO. 16-09-B

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

SECTION 1: There is hereby approved an Agreement with Baldor Electric Company ("Baldor") providing for the sharing of costs for the design and construction of intersection and radius improvements along R.S. Boreham Jr. Street at its intersection with Highway 271, whereby Baldor will provide without cost to the City and dedicate to the public all right-of-way required for the project and will pay one-half of the costs up to a maximum of \$150,000.00 as set forth in the Briefing Report dated December 11, 2015, a copy of which is attached hereto.

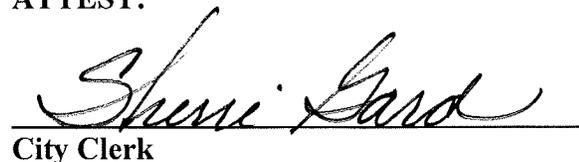
SECTION 2: The Mayor, his signature being attested by the City Clerk, is authorized to execute an Agreement with Baldor setting forth the terms approved by Section 1 of this Resolution.

THIS RESOLUTION ADOPTED this 15th day of December, 2015.

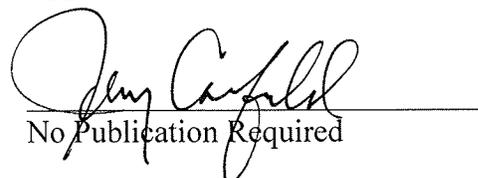
APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to form:


No Publication Required