

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

February 2, 2016 ~ 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 Ngoc Quan Ha, Gospel Baptist Church

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 JANUARY 19, 2016 REGULAR MEETING

APPROVED as revised (Page 10 – revise Steve Clark to Scott Clark)

ITEMS OF BUSINESS:

1. Presentation by Girl Scout Diamonds of Arkansas, Oklahoma and Texas
No Girl Scouts in attendance; therefore, such will be rescheduled for a later date.
2. Ordinance rezoning identified property and amending the zoning map (*from Commercial Heavy (C-5) to Residential Multifamily Medium Density (RM-3) by extension located at 1833 North 12th Street*)
APPROVED 7 in favor, 0 opposed / Ordinance No. 8-16

3. Items regarding amendments to the Unified Development Ordinance:
 - A. Ordinance amending the 2009 Unified Development Ordinance of the City of Fort Smith (*microbreweries in commercial zoning districts*) ♦
APPROVED 7 in favor, 0 opposed / Ordinance No. 9-16
 - B. Ordinance amending the 2009 Unified Development Ordinance of the City of Fort Smith (*specialty manufacturing*) ♦
APPROVED 7 in favor, 0 opposed / Ordinance No. 10-16
 - C. Ordinance amending the 2009 Unified Development Ordinance of the City of Fort Smith (*neighborhood meeting requirements*)
APPROVED 7 in favor, 0 opposed / Ordinance No. 11-16
4. Ordinance authorizing the Mayor to execute an agreement for certain services for inhabitants of the city of Fort Smith ~ *Fort Smith Museum of History agreement tabled at the January 19, 2016 regular meeting* ~
APPROVED 7 in favor, 0 opposed / Ordinance No. 12-16
5. Ordinance amending the 2016 Budget
APPROVED 7 in favor, 0 opposed / Ordinance No. 13-16
6. Resolution accepting the bid of and authorizing the Mayor to execute a contract with Forsgren, Inc. for the Wheeler Avenue Sanitary Sewer Replacement (\$582,357.00 / Utilities Department / Budgeted – 2015 Revenue Bonds) ♦
APPROVED 7 in favor, 0 opposed / Resolution No. R-12-16

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>

ADJOURN

7:19 p.m.

ORDINANCE NO. 8-16

AN ORDINANCE REZONING IDENTIFIED PROPERTY AND AMENDING THE ZONING MAP

WHEREAS, the City Planning Commission has heretofore held a public hearing upon request No. 1-1-16 to rezone certain properties hereinafter described, and, having considered said request, recommended on January 12, 2016, 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:

Lot 12, Block 2, Fishback Addition

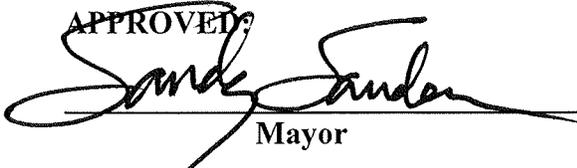
more commonly known as 1833 North 12th Street, should be, and is hereby rezoned from Commercial Heavy (C-5) to Residential Multifamily Medium Density (RM-3) by Extension.

PASSED AND APPROVED THIS 2nd DAY OF February, 2016.

ATTEST:

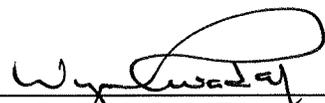


City Clerk

APPROVED:


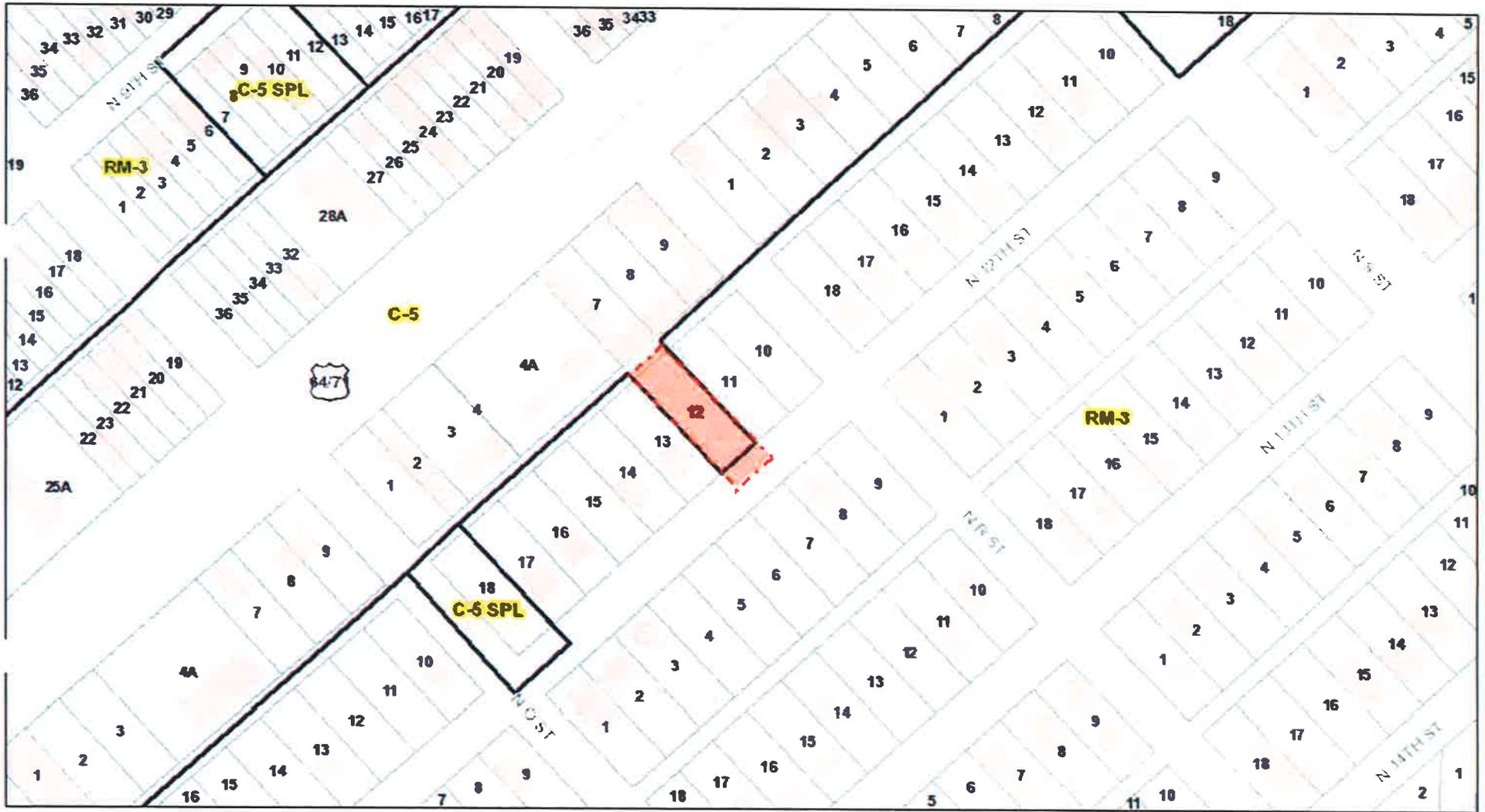
Mayor

Approved as to form:



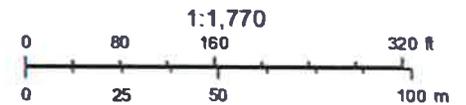
Publish One Time

Rezoning #1-1-16: From Commercial Heavy (C-5) to Residential Multifamily Medium Density (RM-3) 1833 North 12th Street



December 15, 2015

-  Fort Smith City Limits
-  Zoning
-  Subdivisions
-  Building Footprints



ORDINANCE NO. 9-16

**AN ORDINANCE AMENDING THE 2009 UNIFIED DEVELOPMENT
ORDINANCE OF THE CITY OF FORT SMITH**

WHEREAS, the Board of Directors passed and approved Ordinance No. 36-09 which adopted the Unified Development Ordinance on May 19, 2009; and,

WHEREAS, it is necessary to amend certain sections of the Unified Development Ordinance to provide clarity and remove conflicts with other provisions of the municipal code; and,

WHEREAS, the Planning Commission held a public hearing regarding these amendments and recommended on January 12, 2016, that said changes be made; and,

WHEREAS, three (3) copies of February 2016 Amendments to the Unified Development Ordinance (microbreweries in commercial zoning districts) have been on file in the Office of the City Clerk of the City of Fort Smith for inspection and review by the public prior to the passage of this Ordinance; and,

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

SECTION 1: The February 2016 Amendments to the Unified Development Ordinance (microbreweries in commercial zoning districts) is hereby adopted.

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

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

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

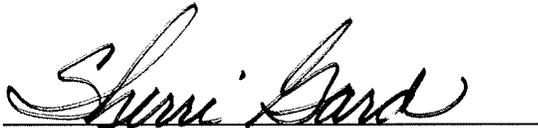
PASSED AND APPROVED THIS 2nd DAY OF February, 2016.

APPROVED:



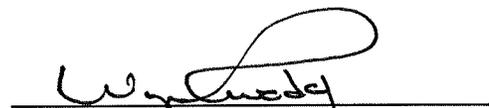
Mayor

ATTEST:



City Clerk

Approved as to form:



Publish One Time

FEBRUARY 2016

**AMENDMENTS TO THE UNIFIED DEVELOPMENT
ORDINANCE (MICROBREWERIES IN COMMERCIAL
ZONING DISTRICTS)**

Appendix A

Districts	RE3	RE1	RS-1	RS-2	RS-3	RS-4	RS-5	RSD-2	RSD-3	RSD-4	RM-2	RM-3	RM-4	RMD	H	RH	T	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3
P = Permitted Use, C = Conditional Use, A = Accessory Use			R-1	R-2	R-3	R-4	R-6	DP-2	DP-3	DP-4	MF-2	MF-3	MF-4	R-5												
Business, Professional, Scientific, and Technical Services																										
Professional Services																										
Abstract services																P	P	P	P	P	P	P	P	P	P	P
Accounting, tax, bookkeeping, payroll																P	P	P	P	P	P	P	P	P	P	P
Advertising and media services																P	P	P	P	P	P	P	P	P	P	P
Architectural, engineering																P	P	P	P	P	P	P	P	P	P	P
Carpet and upholstery cleaning																P	P	P	P	P	P	P	P	P	P	P
Consulting services																P	P	P	P	P	P	P	P	P	P	P
Extermination and pest control																P	P	P	P	P	P	P	P	P	P	P
Graphic, industrial, interior design																P	P	C	P	P	P	P	P	P	P	P
Investigation and security services																P	P	P	P	P	P	P	P	P	P	P
Janitorial services																P	P	P	P	P	P	P	P	P	P	P
Legal services																P	P	P	P	P	P	P	P	P	P	P
Medical laboratory																P	P	P	P	P	P	P	P	P	P	P
Medical laboratory (no animal research/testing)																				C	C	C	C	C	C	C
Offices, corporate																P	P	P	P	P	P	P	P	P	P	P
Offices, general																P	P	P	P	P	P	P	P	P	P	P
Property management services (office only)																P	P	P	P	P	P	P	P	P	P	P
Real estate agency																P	P	P	P	P	P	P	P	P	P	P
Travel arrangement and reservation services																P	P	P	P	P	P	P	P	P	P	P
Administrative Services																										
Business support services																P	P	P	P	P	P	P	P	P	P	P
Collection agency																P	P	P	P	P	P	P	P	P	P	P
Employment agency																P	P	P	P	P	P	P	P	P	P	P
Employment agency (day labor)																P	P	P	P	P	P	P	P	P	P	P
Facilities support services																P	P	P	P	P	P	P	P	P	P	P
Office and administrative services																P	P	P	P	P	P	P	P	P	P	P
Telemarketer/call center																P	P	P	P	P	P	P	P	P	P	P
Food Services																										
Bar or tavern																			C	C	C	C	C	C	C	C
Beer garden																				C	C	C	C	C	C	C
Catering service																			P	P	P	P	P	P	P	P
Food distribution center																				P	P	P	P	P	P	P
Microbrewery/microwinery/microdistillery																			C	C	C	C	C	C	C	C
Mobile food services																			C	C	C	C	C	C	C	C
Restaurant															P			C	P	P	P	P	P	P	P	P
Restaurant (with drive-in services)																			C	P	P	P	P	P	P	P
Restaurant (with drive-through services)																			C	P	P	P	P	P	P	P
Restaurant (with outdoor dining)																			C	P	P	P	P	P	P	P
Specialty Manufacturing																			C	C	C	C	C	C	C	C
Vending																			C	P	P	P	P	P	P	P
Personal Services																										
Bail bonds office																										

ORDINANCE NO. 10-16

**AN ORDINANCE AMENDING THE 2009 UNIFIED DEVELOPMENT
ORDINANCE OF THE CITY OF FORT SMITH**

WHEREAS, the Board of Directors passed and approved Ordinance No. 36-09 which adopted the Unified Development Ordinance on May 19, 2009; and,

WHEREAS, it is necessary to amend certain sections of the Unified Development Ordinance to provide clarity and remove conflicts with other provisions of the municipal code; and,

WHEREAS, the Planning Commission held a public hearing regarding these amendments and recommended on January 12, 2016, that said changes be made; and,

WHEREAS, three (3) copies of February 2016 Amendments to the Unified Development Ordinance (specialty manufacturing) have been on file in the Office of the City Clerk of the City of Fort Smith for inspection and review by the public prior to the passage of this Ordinance; and,

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

SECTION 1: The February 2016 Amendments to the Unified Development Ordinance (specialty manufacturing) is hereby adopted.

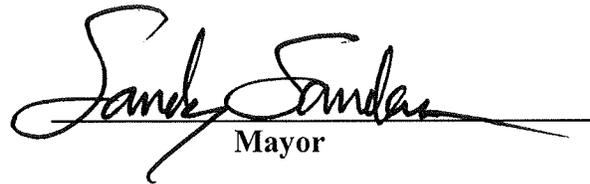
SECTION 2: The codifier shall amend the existing sections of the Unified Development Ordinance.

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

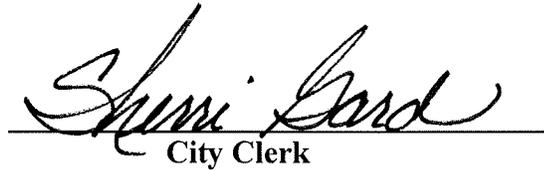
of regulation of uses of property within the City of Fort Smith so that the protection of the health, safety and welfare of the inhabitants of the City requires that the amendments be effective, and the amendment is hereby made effective, as of the date of approval of this Ordinance.

PASSED AND APPROVED THIS 2nd DAY OF February, 2016.

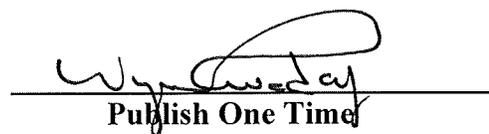
APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to form:


Publish One Time

FEBRUARY 2016

**AMENDMENTS TO THE UNIFIED DEVELOPMENT
ORDINANCE (SPECIALTY MANUFACTURING)**

Specialty Manufacturing

shall mean specially manufacturers with or without a retail front or other special manufacturers with minimal impacts to adjoining properties, including noise, traffic, lighting, odors, and hours of operation. Products are primarily assembled by hand. The uses are limited by size to a maximum of 4,000 s.f. of gross floor area and shall be operated only within a fully enclosed structure.

Sports complex or athletic field

shall mean a large open or enclosed space used for games or major events which may be surrounded by tiers of seats for spectators.

Sporting goods stores

shall mean establishments primarily engaged in the retailing of new sporting goods, including bicycles and bicycle parts, camping equipment, fishing and hunting equipment, exercise and fitness equipment, athletic uniforms, athletic apparel for men, women and children, specialty sports footwear and other sporting goods, equipment and accessories.

Stable, private,

shall mean a private accessory building for quartering horses.

Stockyard

shall mean services involving the temporary keeping of livestock for slaughter, market, or shipping.

Stormwater retention basin or pumping station

shall mean a reservoir, lake, pond or area designated for temporary storage of surface water during periods of heavy run-off together with any pumping facilities, tanks, gates or similar structures related to drainage operations.

Story

shall mean that portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.

Street

shall mean a public maintained right-of-way, other than an alley, which affords a primary means of access to property.

Street frontage

shall mean the distance along a property line that is also the right-of-way line of a public street. It is measured between side lot lines along the front lot line.

Street, limited access

a street which allows only indirect access to abutting properties primarily by distributing traffic to intersecting lesser volume streets or some other means as needed to allow for efficient local circulation.

Street, standard

shall mean any existing street whose right-of-way meets the design requirements of the Master Street Plan or the minimum street standards, whichever is greater.

Structural alterations

Appendix A

Districts	RE3	RE1	RS-1	RS-2	RS-3	RS-4	RS-5	RSD-2	RSD-3	RSD-4	RM-2	RM-3	RM-4	RMD	H	RH	T	T-1,2,3	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	
P = Permitted Use, C = Conditional Use, A = Accessory Use																												
Business, Professional, Scientific, and Technical Services																												
Professional Services																												
Abstract services																P		P	P	P	P	P	P	P	P	P		
Accounting, tax, bookkeeping, payroll																P	P	P	P	P	P	P	P	P	P	P		
Advertising and media services																P	P	P	P	P	P	P	P	P	P	P		
Architectural, engineering																P	P	P	P	P	P	P	P	P	P	P		
Carpet and upholstery cleaning																												
Consulting services																P	P	P	P	P	P	P	P	P	P	P	P	
Extermination and pest control																												
Graphic, industrial, interior design																P	P	C	P	P	P	P	P	P	P	P	P	
Investigation and security services																												
Janitorial services																												
Legal services																P	P	P	P	P	P	P	P	P	P	P	P	
Medical laboratory																												
Medical laboratory (no animal research/testing)																												
Offices, corporate																P	P	P	P	P	P	P	P	P	P	P	P	
Offices, general																P	P	P	P	P	P	P	P	P	P	P	P	
Property management services (office only)																P	P	P	P	P	P	P	P	P	P	P	P	
Real estate agency																P	P	P	P	P	P	P	P	P	P	P	P	
Travel arrangement and reservation services																P	P		P	P	P	P	P	P	P	P	P	
Administrative Services																												
Business support services																P	P	P	P	P	P	P	P	P	P	P	P	
Collection agency																P	P	P	P	P	P	P	P	P	P	P	P	
Employment agency																												
Employment agency (day labor)																												
Facilities support services																P	P	P	P	P	P	P	P	P	P	P	P	
Office and administrative services																P	P	P	P	P	P	P	P	P	P	P	P	
Telemarketer/call center																P	P	P	P	P	P	P	P	P	P	P	P	
Food Services																												
Bar or tavern																												
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Microbrewery/microwinery/microdistillery																												
Mobile food services																												
Restaurant																P												
Restaurant (with drive-in services)																												
Restaurant (with drive-through services)																												
Restaurant (with outdoor dining)																												
Specialty Manufacturing																												
Vending																												
Personal Services																												
Bail bonds office																												

ORDINANCE NO. 11-16

**AN ORDINANCE AMENDING THE 2009 UNIFIED DEVELOPMENT
ORDINANCE OF THE CITY OF FORT SMITH**

WHEREAS, the Board of Directors passed and approved Ordinance No. 36-09 which adopted the Unified Development Ordinance on May 19, 2009; and,

WHEREAS, it is necessary to amend certain sections of the Unified Development Ordinance to provide clarity and remove conflicts with other provisions of the municipal code; and,

WHEREAS, the Planning Commission held a public hearing regarding these amendments and recommended on January 12, 2016, that said changes be made; and,

WHEREAS, three (3) copies of February 2016 Amendments to the Unified Development Ordinance (neighborhood meeting requirements) have been on file in the Office of the City Clerk of the City of Fort Smith for inspection and review by the public prior to the passage of this Ordinance; and,

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

SECTION 1: The February 2016 Amendments to the Unified Development Ordinance (neighborhood meeting requirements) is hereby adopted.

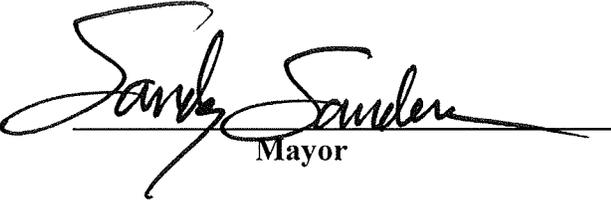
SECTION 2: The codifier shall amend the existing sections of the Unified Development Ordinance.

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

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

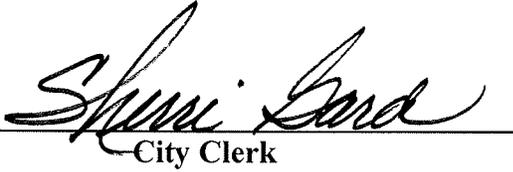
PASSED AND APPROVED THIS 2nd DAY OF February, 2016.

APPROVED:



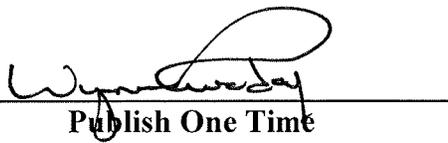
Mayor

ATTEST:



City Clerk

Approved as to form:



Publish One Time

FEBRUARY 2016

**AMENDMENTS TO THE UNIFIED DEVELOPMENT
ORDINANCE (NEIGHBORHOOD MEETING
REQUIREMENTS)**

I. General Requirements

27-301 General Requirements

27-301-1 Applicability.

The policies and regulations apply to land use and development. Any person proposing a land use change or new development shall comply with the procedures of this Chapter. Table 27-301.1 (Application Procedures) summarizes the application types, required meetings, acting bodies and public notices involved in the development review process between the applicants and the City. The application procedure is covered in more detail in later sections of this chapter. For procedures regarding neighborhood meeting waivers, refer to Section 27-304 and Section 27-337-5 (zoning variance).

Table 27-301.1—Application Procedures

Actions:

R = Review/Recommendation D = Decision A = Appeal • Required
 ♦ = at the discretion of the Director ■ = as described in section

Acting Bodies:

Staff = Planning and Zoning Department

PC = Planning Commission

BD = Board of Directors

BZA = Board of Zoning Adjustment

Application Type	Preapp Conf.	Neighborhood Meeting	Acting Body				Notices		
			Staff	PC	BD	BZA	Pub.	Mail	Sign
Accessory Residential Use (324)			D	A					
Permits for New Construction, Major Alterations (325)			D						
Certificate of Occupancy (326)			D						
Comp. Plan/Master Land Use Map Amendment (328)	•	•	R	R	D		•	■	■
Rezoning – Planned (329)	•	•	R	R	D		•	•	•
Rezoning – Conventional (330)	•	•	R	R	D		•	•	•
Development Plan Review (331)	•	♦	D	A					
Conditional Use Permit (332)	•	•	R	D	A		•	•	•
Subdivision – Major (333)	♦		R	D	A				

shall not be processed until such revisions have been determined to be complete by the Director.

- C. **Processing Complete Applications.** The applicant will be notified that the application is complete and processed in accordance with this Chapter.
- D. **Failure to Act.** If the Director fails to act within three (3) business days, the application shall be deemed complete.
- E. **Revisions Following Determination.** Following a determination of completeness, any further revisions to the application by the applicant without the approval of the Director, or modifications which are contrary to the directions of the Planning Commission or Board of Directors shall void the determination of completeness and trigger a new three (3) day review period. All processing of the application shall stop until a new, complete application has been filed.
- F. **Determination Not Substantive.** A determination of completeness shall not constitute a determination of compliance with the substantive provisions of the UDO.

27-303-5 Fee Schedule

Application fees shall be set in an amount to recover the costs of processing, publicizing, and reviewing development applications. The Board of Directors shall set the fee schedule, which shall be included as an appendix to this Code. The Board may periodically review and modify the fee schedule based on the costs changes associated with the development application.

27-304 Neighborhood Meeting

27-304-1 When Required

A neighborhood meeting is required for certain development applications, as identified in Table 27-301.1 (Application Procedures) and indicated in the individual application type sections below. When not required, applicants are encouraged by the Board of Directors, Planning Commission and Planning Staff to meet with property owners who may be affected by the proposed development.

The Director may waive the requirement for a neighborhood meeting for rezoning, master land use plan amendments, and conditional use applications based on the following criteria:

1. The project will have minimal impact on surrounding properties.
2. The project will have minimal impact on the neighborhood.

When a neighborhood meeting is waived by the Director, the applicant shall mail letters to property owners within 300 feet of the project site in lieu of a neighborhood meeting. At a minimum, the letter shall include the project description, a drawing or map of the project, and contact information. A copy of the letter shall be submitted to the planning department and a written summary of any responses from property owners.

The requirement for the neighborhood meeting will not be waived for a non-residential or multifamily project that is proposed next to single family zoned or developed property.

27-304-2 Neighborhood Identification

Generally, the neighborhood shall include all parcels located within 300 feet of the boundaries of the parcel proposed for development, and any homeowners association, neighborhood association or merchants association registered with the Planning and Zoning Department and located within 300 feet of the parcel.

27-304-3 Meeting Arrangements

The applicant shall be responsible for providing a meeting location and conducting the meeting at a time and place reasonable to the residents of the neighborhood. Written notice of the location and time of the meeting shall be provided by the applicant to the Planning and Zoning Department and residents of the area defined as the neighborhood at least seven (7) fourteen (14) days prior to the meeting. The neighborhood meeting should be held at least six (6) days prior to the planning commission voting meeting.

27-304-4 Meeting Content

At the meeting, the applicant shall present a full and accurate description of the proposed development plans, describe projected impacts of development, describe plans to mitigate or off-set impacts, and facilitate a discussion of neighborhood questions and comments. The Planning Staff shall attend the meeting, but shall not be responsible for organizing the meeting or presenting information about the project.

27-304-5 Meeting Report

Following the neighborhood meeting, the applicant shall provide the Planning and Zoning Department with a mailing list of the people who attended the meeting and a written summary of the discussion and comments. All documents and materials which detail the proceedings of the neighborhood meeting shall become part of the public record for the development application and should be submitted to the Planning and Zoning Department

ORDINANCE NO. 12-16

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS FOR CERTAIN SERVICES FOR INHABITANTS OF THE CITY OF FORT SMITH

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

SECTION 1: The Mayor is hereby authorized to execute that certain agreement with the **Fort Smith Museum of History** providing for the payment by the City to the Fort Smith Museum of History in the amount of the actual utility expenses (water, sewer, sanitation, gas and electric expense) incurred in the operation of the Fort Smith Museum of History up to a maximum of **\$20,000** during calendar year 2016 for services provided to the City and its inhabitants, which services include the providing of facilities and programs for cultural and educational purposes to enhance and provide for the health and welfare of the inhabitants of the City during the year 2016.

SECTION 2: It is hereby declared and determined by the Board of Directors that the subject matter of the agreement authorized by Section 1 above deals with providing services in an exceptional situation where competitive bidding procedures are not feasible so that such competitive bidding procedures are hereby waived with reference to such agreements.

SECTION 3: The authorizations set forth in Section 1 above is deemed and declared to be severable. Any invalidity of one or more of the separate sections shall not affect the validity of the other sections of this Ordinance.

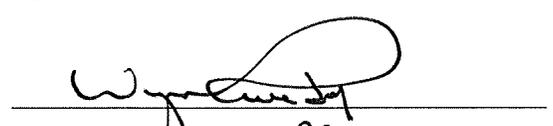
PASSED AND APPROVED this 2nd day of February, 2016.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to form:

NPR

ORDINANCE NO. 13-16

AN ORDINANCE AMENDING THE 2016 BUDGET

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE

CITY OF FORT SMITH, ARKANSAS, THAT:

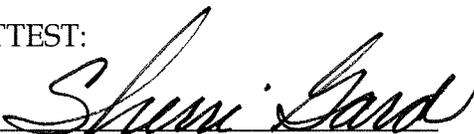
SECTION 1: There is hereby authorized the following appropriations, (\$650,998) attached as Exhibit 1 from the Sanitation Fund 6680-000-2104 (Transfer to the Sanitation Sinking Fund) to 3724-002-1118 Transfer From Other Funds (Sinking Account Reserve).

THIS ORDINANCE ADOPTED THIS 2nd DAY OF February, 2016.

APPROVED


MAYOR

ATTEST:


CITY CLERK

Approved as to form:


NPR

Exhibit 1

ADMINISTRATION

PROGRAM 6301

	Budget FY 15	Estimated FY 15	Budget FY 16	Proposed Adjustment	Amended FY 16
PERSONNEL					
101 Regular Salaries	326,360	314,468	321,160	0	321,160
102 Overtime	10,200	14,820	15,000	(10,000)	5,000
103 Retirement	35,520	30,937	17,820	0	17,820
104 Social Security	23,440	25,242	26,320	0	26,320
105 Insurance	59,620	59,620	53,658	0	53,658
106 Longevity	610	603	790	0	790
108 Other (Temporary Customer Service Labor)	5,400	15,350	15,000	(15,000)	0
109 Employee Allowances	0	2,318	2,200	(1,200)	1,000
111 Workers' Compensation	9,480	9,480	13,230	0	13,230
Total	470,630	472,838	465,178	(26,200)	438,978
OPERATING					
201 Office Supplies	7,000	9,277	7,000	(2,000)	5,000
202 Small Equipment	5,000	1,743	5,000	(3,500)	1,500
203 Fuel, Oil, Lube	1,590	666	1,000	(250)	750
204 Clothing	4,500	8,811	4,000	(4,000)	0
205 Custodial Equipment and Supplies	1,510	2,689	4,500	3,500	8,000
206 Materials	0	181	0	0	0
207 Repair of Equipment	2,000	3,944	3,500	(2,750)	750
208 Repair of Buildings (Note 1)	9,000	4,033	9,000	(2,000)	7,000
210 Communications	4,380	7,023	4,380	0	4,380
211 Utilities	18,000	21,802	25,000	(2,000)	23,000
212 Bonds, Insurance, Licenses	4,480	4,615	4,480	0	4,480
213 Postage	200	250	200	0	200
214 Advertising Printing, Photo	20,000	43,239	35,000	(25,000)	10,000
215 Training & Travel	9,000	17,591	18,000	(18,000)	0
216 Education, Memberships, Subscriptions	1,920	3,540	1,920	(1,420)	500
217 Lease, Rent, Taxes	26,520	28,538	21,720	0	21,720
230 Beautify Fort Smith	50,000	56,250	0	0	0
	165,100	214,191	144,700	(57,420)	87,280
CAPITAL OUTLAY	0	0	0	0	0
ADMINISTRATION TOTAL	635,730	687,029	609,878	(83,620)	526,258
Sinking Fund Depreciation			5,361	0	5,361
Planned Purchases 2016: Self Supported Radio Tower			83,500	0	83,500

Note 1: This amount includes the replacement of a broken air conditioning unit.

ADMINISTRATION
(continued)

PROGRAM 6301

SCHEDULE OF PERSONNEL	PAY GRADE	FY15	FY16	FY16*
Director of Sanitation	22	1	1	1
Superintendent	17	1	1	1
Administrative Coordinator	9	1	1	1
Accounting Technician	6	2	2	2
Dispatcher	6	1	1	1
Beautification/Recycling Coordinator	3	0.5	0	0
EMPLOYEE POSITIONS		6.5	6	6

Note 1: Account Codes 215 and 216: Decrease eliminates travel to conferences. Memberships to SWANA will remain funded.

Note 2: Account Code 210: For FY16 includes Motorola lease.

Note 3: FY16 funding for Beautify Fort Smith was re-allocated to the Street Maintenance Fund per Board directive.

Funding Allocation:

100% Sanitation Operating Fund

RESIDENTIAL COLLECTION

PROGRAM 6302

	Budget FY 15	Estimated FY 15	Budget FY 16	Proposed Adjustment	Amended FY 16
Personnel					
101 Regular Salaries	827,450	818,989	865,490	53,706	919,196
102 Overtime	72,700	55,097	65,360	(7,360)	58,000
103 Retirement	90,330	76,808	46,710	2,685	49,395
104 Social Security	69,380	63,175	71,810	4,463	76,273
105 Insurance	172,360	172,360	155,124	11,201	166,325
106 Longevity	3,010	2,649	3,310	0	3,310
107 Medical Expenses	2,050	2,955	2,050	0	2,050
108 Other (Temporary Staffing)	93,270	90,039	93,000	(93,000)	0
109 Employee Allowances	0	0	0	0	0
111 Workers' Compensation	52,130	52,130	47,250	3,780	51,030
	1,382,680	1,334,202	1,350,104	(24,525)	1,325,579
Operating					
202 Small Equipment	4,510	5,364	5,000	(500)	4,500
203 Fuel, Oil, Lube	351,000	177,943	300,000	(100,000)	200,000
204 Clothing	30,000	27,909	33,000	0	33,000
205 Custodial Equipment and Supplies	8,000	13,868	11,200	800	12,000
206 Materials	2,130	5,348	2,130	(630)	1,500
207 Repair of Equipment	262,487	309,974	300,000	(25,000)	275,000
208 Repair of Buildings	2,500	8,149	6,000	(3,500)	2,500
210 Communications	3,450	5,900	24,750	0	24,750
211 Utilities	1,500	866	1,300	(100)	1,200
212 Bonds, Insurance, Licenses	20,130	22,320	23,810	0	23,810
213 Postage	1,000	0	500	0	500
214 Advertising Printing, Photo	7,000	7,065	10,000	0	10,000
215 Training & Travel	0	3,509	6,000	(6,000)	0
216 Education, Memberships, Subscriptions	2,800	704	1,090	(590)	500
217 Lease, Rent, Taxes	0	613	0	0	0
218 Claims	500	0	500	0	500
Total	697,007	589,532	725,280	(135,520)	589,760
CAPITAL OUTLAY					
	303,000	303,000			
301 Automated Refuse Carts-65Gal			4,900	0	4,900
302 Automated Refuse Carts-96Gal			80,400	0	80,400
303 Automated Sideloader (1)(Replacement 2008 Model)			278,000	0	278,000
304 Rearloader (1)(Replacement 2002 Model)			235,000	0	235,000
Total			598,300	0	598,300
RESIDENTIAL COLLECTION TOTAL	2,382,687	2,226,734	2,673,684	(160,045)	2,513,639

RESIDENTIAL COLLECTION
(continued)

PROGRAM 6302

SCHEDULE OF PERSONNEL	PAY GRADE	FY15	FY16	FY16*
Residential Supervisor	11	1	1	1
Residential Foreperson	8	1	1	1
Equipment Operator III	5	13	13	13
Equipment Operator II	4	10	10	12
Seasonal Laborer	1	0	0	0.25
EMPLOYEE POSITIONS		25	25	27.25

Note 1: Account Code 210 for FY16 includes service and license fee for Fleetmind GPS-Dispatch System.

COMMERCIAL COLLECTION

PROGRAM 6303

	Budget FY 15	Estimated FY 15	Budget FY 16	Proposed Adjustment	Amended FY 16
Personnel					
101 Regular Salaries	369,530	307,819	362,450	0	362,450
102 Overtime	63,280	63,000	46,000	0	46,000
103 Retirement	43,500	31,430	20,560	0	20,560
104 Social Security	33,430	24,147	31,560	0	31,560
105 Insurance	87,640	87,640	78,876	0	78,876
106 Longevity	2,110	1,292	1,690	0	1,690
107 Medical Expenses	0	713	1,000	0	1,000
108 Other	0	0	0	0	0
109 Employee Allowances	0	981	1,000	(900)	100
111 Workers' Compensation	10,060	10,060	18,900	0	18,900
	609,550	527,082	562,036	(900)	561,136
Operating					
202 Small Equipment	3,000	6,480	3,000	0	3,000
203 Fuel, Oil, Lube	199,320	92,114	185,000	(75,000)	110,000
204 Clothing	9,880	13,984	13,530	0	13,530
205 Custodial Equipment and Supplies	3,250	6,578	6,000	(1,500)	4,500
206 Materials	1,500	7,000	3,000	0	3,000
207 Repair of Equipment	120,000	239,810	250,000	(35,000)	215,000
208 Repair of Buildings	2,500	9,000	5,000	(2,500)	2,500
210 Communications	6,690	1,790	5,000	0	5,000
211 Utilities	1,000	343	500	0	500
212 Bonds, Insurance, Licenses	12,250	13,557	14,000	0	14,000
214 Advertising Printing, Photo	3,380	6,285	10,000	(8,500)	1,500
215 Training & Travel	0	3,509	6,000	(6,000)	0
216 Education, Memberships, Subscriptions	1,000	441	1,500	(1,000)	500
217 Lease, Rent, Taxes	0	168	0	0	0
218 Claims	2,000	0	2,000	0	2,000
	365,770	401,059	504,530	(129,500)	375,030
CAPITAL OUTLAY	475,000	475,000			
301 2yd Rear Load Containers			110,000	(20,000)	90,000
302 4yd Front Load Containers			95,000	(20,000)	75,000
303 8yd Front Load Containers			130,000	(20,000)	110,000
304 8yd Frontload Cardboard Containers			70,000	0	70,000
305 6yd Front Load Containers			60,000	0	60,000
306 Office Recycle Containers			10,000	0	10,000
Total Capital Outlay			475,000	(60,000)	415,000
COMMERCIAL COLLECTION TOTAL	1,450,320	1,403,141	1,541,566	(190,400)	1,351,166

COMMERCIAL COLLECTION
(continued)

PROGRAM 6303

Sinking Fund Depreciation 210,426 210,426

No Planned Purchases for 2016.

SCHEDULE OF PERSONNEL	PAY GRADE	FY15	FY16	FY16*
Commercial Supervisor (Note 1)	11	1	1	1
Equipment Operator III	5	5	5	5
Equipment Operator II	4	4	4	4
EMPLOYEE POSITIONS		10	10	10

Note 1: This position also supervises Program 6307 Roll-Off Collection.

Note 2: The need for a language incentive is deemed unnecessary by the Program Supervisor.

Note 3: Account Code 214 Reduction: Planned media packets will be produced in-house rather than by a vendor.

Funding Allocation:

100% Sanitation Operating Fund

FLEET AND GROUNDS MAINTENANCE

PROGRAM 6304

	Budget FY 15	Estimated FY 15	Budget FY 16	Proposed Adjustment	Amended FY 16
Personnel					
101 Regular Salaries	384,500	380,783	392,510	61,512	454,022
102 Overtime	52,380	37,879	46,000	(11,000)	35,000
103 Retirement	43,800	36,715	21,975	1,576	23,551
104 Social Security	33,630	29,609	33,720	4,706	38,426
105 Insurance	92,950	92,950	83,655	6,867	90,522
106 Longevity	1,090	960	970	0	970
107 Medical Expenses	650	660	700	0	700
108 Other	15,000	39,861	40,000	(40,000)	0
111 Workers' Compensation	14,680	14,680	18,900	1,890	20,790
Total	638,680	634,097	638,430	25,551	663,981
Operating					
202 Small Equipment	2,000	13,976	12,900	100	13,000
203 Fuel, Oil, Lube	65,940	48,642	59,000	(14,000)	45,000
204 Clothing	14,000	15,538	16,250	0	16,250
205 Custodial Equipment and Supplies	25,000	9,087	10,000	(2,500)	7,500
206 Materials	15,000	22,111	15,000	(7,000)	8,000
207 Repair of Equipment	35,000	53,343	50,000	0	50,000
208 Repair of Buildings	30,505	14,960	30,000	(15,000)	15,000
210 Communications	3,600	3,867	5,630	0	5,630
211 Utilities	20,000	25,296	30,000	(2,000)	28,000
212 Bonds, Insurance, Licenses	16,560	13,145	9,710	0	9,710
213 Postage	0	0	0	0	0
214 Advertising Printing, Photo	500	1,770	500	(500)	0
215 Training & Travel	0	3,771	3,600	(3,600)	0
216 Education, Memberships, Subscriptions	2,800	150	1,000	(1,000)	0
217 Lease, Rent, Taxes	9,200	7,288	8,500	(2,500)	6,000
Total	240,105	232,944	252,090	(48,000)	204,090
CAPITAL OUTLAY	41,291	41,291	0	0	0
FLEET AND GROUNDS MAINTENANCE TOTAL	920,076	908,332	890,520	(22,449)	868,071

Note 1: The additional requested amount is personnel is supplemented by both the reduction in operating costs for this Program as well as a reduction in Repair of Equipment for the entire Department.

FLEET AND GROUNDS MAINTENANCE
(continued)

PROGRAM 6304

Sinking Fund Depreciation	55,372	0	55,372
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No Planned Purchases for 2016.

SCHEDULE OF PERSONNEL	PAY GRADE	FY15	FY16	FY16*
Fleet Maintenance Supervisor	11	1	1	1
Foreperson	8	1	1	1
Heavy Equipment Mechanic II	6	6	6	7
Senior Maintenance Person	5	1	1	1
Maintenance Person	3	1	1	1
Part-Time Laborer	2	0	0	0.75
Seasonal Laborer	1	0	0	1
EMPLOYEE POSITIONS		10	10	12.75

Funding Allocation:

100% Sanitation Operating Fund

SANITARY LANDFILL

PROGRAM 6305

	Budget FY 15	Estimated FY 15	Budget FY 16	Proposed Adjustment	Amended FY 16
PERSONNEL					
101 Regular Salaries	586,650	564,417	568,220	73,549	641,769
102 Overtime	84,060	121,994	101,570	(21,570)	80,000
103 Retirement	67,210	60,732	33,550	3,677	37,227
104 Social Security	51,610	50,560	51,570	3,930	55,500
105 Insurance	143,290	143,290	128,961	20,320	149,281
106 Longevity	1,270	1,175	1,210	0	1,210
107 Medical Expenses	4,380	1,658	3,000	0	3,000
108 Other	27,340	103,253	105,000	(105,000)	0
109 Employee Allowances	0	1,054	0	0	0
111 Workers' Compensation	13,940	13,940	32,130	5,670	37,800
Total	979,750	1,062,073	1,025,211	(19,424)	1,005,787
OPERATING					
202 Small Equipment	20,620	20,085	15,000	0	15,000
203 Fuel, Oil, Lube	453,370	263,078	260,000	0	260,000
204 Clothing	20,000	21,083	25,000	0	25,000
205 Custodial Equipment and Supplies	8,000	13,352	10,000	0	10,000
206 Materials	150,125	211,973	95,000	0	95,000
207 Repair of Equipment	405,906	471,071	500,000	(40,000)	460,000
208 Repair of Buildings	66,704	78,223	42,300	(7,300)	35,000
210 Communications	3,000	2,005	2,000	0	2,000
211 Utilities	40,780	43,424	45,000	0	45,000
212 Bonds, Insurance, Licenses	60,960	49,089	35,000	0	35,000
214 Advertising Printing, Photo	2,000	4,706	2,000	0	2,000
215 Training & Travel	4,500	10,247	8,000	(3,000)	5,000
216 Education, Memberships, Subscriptions	5,000	887	5,000	(3,250)	1,750
217 Lease, Rent, Taxes	49,048	241,140	251,650	(51,650)	200,000
219 Other-Letter of Credit Fees	167,600	34,073	40,000	0	40,000
230 Landfill Fees-ADEQ/SCRSWMD	1,008,000	819,918	500,000	0	500,000
231 Monitoring, Testing & Permit Fees	0	62,021	200,000	0	200,000
239 Fort Chaffee Agreement	20,000	20,000	20,000	0	20,000
Total	2,485,613	2,366,375	2,055,950	(105,200)	1,950,750
CAPITAL OUTLAY	0	0	0	0	0
SANITARY LANDFILL TOTAL	3,465,363	3,428,448	3,081,161	(124,624)	2,956,537

SANITARY LANDFILL
(continued)

PROGRAM 6305

Sinking Fund Depreciation-Equipment	477,331	0	477,331
Sinking Fund Depreciation-Convenience Center	0	0	0
Planned Purchases for 2016			
Dozer (1) (Replacement 2004 Model)	735,000	(735,000)	0
Lease of Equipment	0	735,000	735,000
Total Planned Purchases/Leases			735,000

SCHEDULE OF PERSONNEL	PAY GRADE	FY15	FY16	FY16*
Landfill Supervisor	11	1	1	1
Foreperson	8	1	1	1
Landfill Attendant	6	2	2	2
Equipment Operator III	5	13	13	14
Sanitation Worker I	2	0	0	2
EMPLOYEE POSITIONS		17	17	20

Funding Allocation
100% Sanitation Operating Fund

INDUSTRIAL COLLECTION

PROGRAM 6307

	Budget FY 15	Estimated FY 15	Budget FY 16	Proposed Adjustment	Amended FY 16
Personnel					
101 Regular Salaries	365,060	341,980	354,580	0	354,580
102 Overtime	50,530	65,921	60,000	0	60,000
103 Retirement	41,770	35,235	20,800	0	20,800
104 Social Security	32,080	29,705	31,940	0	31,940
105 Insurance	79,100	79,100	71,190	0	71,190
106 Longevity	2,050	1,376	1,390	0	1,390
107 Medical Expenses	900	1,605	1,100	0	1,100
111 Workers' Compensation	11,080	11,080	18,900	0	18,900
Total	582,570	566,002	559,900	0	559,900
Operating					
202 Small Equipment	3,000	2,205	3,000	0	3,000
203 Fuel, Oil, Lube	231,310	121,348	178,660	(48,660)	130,000
204 Clothing	10,730	13,382	14,000	0	14,000
205 Custodial Equipment and Supplies	3,200	5,518	3,200	800	4,000
206 Materials	2,000	5,718	2,000	0	2,000
207 Repair of Equipment	100,000	237,729	130,000	0	130,000
208 Repair of Buildings	1,000	4,829	1,000	0	1,000
210 Communications	0	117	13,200	0	13,200
211 Utilities	1,500	343	1,500	(500)	1,000
212 Bonds, Insurance, Licenses	12,250	16,640	11,640	0	11,640
214 Advertising Printing, Photo	2,000	1,546	8,000	(8,000)	0
216 Education, Memberships, Subscriptions	0	0	0	0	0
218 Claims	1,500	0	1,500	0	1,500
Total	368,490	409,375	367,700	(56,360)	311,340
CAPITAL OUTLAY					
	138,500	138,500			
301 2yd Compactors			17,500	0	17,500
302 4yd Compactors			27,000	0	27,000
303 20yd Open Top Containers			24,000	(4,000)	20,000
304 30yd Open Top Containers			27,000	(4,500)	22,500
305 40yd Open Top Containers			30,000	(5,000)	25,000
306 40yd Compactor Containers			13,000	0	13,000
Total Capital Outlay			138,500	(13,500)	125,000
INDUSTRIAL COLLECTION TOTAL	1,089,560	1,113,877	1,066,100	(69,860)	996,240

SANITATION INDUSTRIAL COLLECTION
(continued)

PROGRAM 6307

No Planned Purchases for 2016.

SCHEDULE OF PERSONNEL	PAY GRADE	FY15	FY16	FY16*
Equipment Operator III (Note 1)	5	10	10	10
EMPLOYEE POSITIONS		10	10	10

Note 1: Account Code 210 for FY16 includes service and license for Fleetmind GPS-Dispatch System.

Note 2: Account Code 214: Planned media packets will be produced in-house rather than by a vendor.

Funding Allocation:

100% Sanitation Operating Fund

RESOLUTION ACCEPTING THE BID OF AND AUTHORIZING THE MAYOR
TO EXECUTE A CONTRACT WITH FORSGREN, INC., FOR THE
WHEELER AVENUE SANITARY SEWER REPLACEMENT

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

SECTION 1: The bid of Forsgren, Inc., for the construction of the Wheeler Avenue Sanitary
Sewer Replacement, Project Number 15-15-C1, is hereby accepted.

SECTION 2: The Mayor is hereby authorized to execute a contract with Forsgren, Inc.,
for an amount of \$582,357.00, for performing said construction.

This Resolution adopted this 2nd day of February 2016.

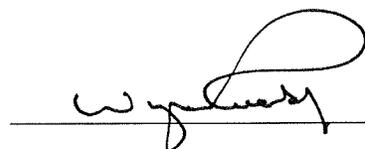
APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


_____ npr