

Mayor - Sandy Sanders

City Administrator - Ray Gosack

City Clerk - Sherri Gard

Board of Directors

Ward 1 - Steve Tyler

Ward 2 - Andre' Good

Ward 3 - Don Hutchings

Ward 4 - George Catsavis

At Large Position 5 - Pam Weber

At Large Position 6 - Kevin Settle

At Large Position 7 - Philip H. Merry Jr.

AGENDA

Fort Smith Board of Directors

Regular Meeting

April 3, 2012 ~ 6:00 P.M.

Fort Smith Public Schools Service Center

3205 Jenny Lind Road

INVOCATION & PLEDGE OF ALLEGIANCE

ROLL CALL

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)

APPROVE MINUTES OF THE MARCH 20, 2012 REGULAR MEETING

ITEMS OF BUSINESS:

1. Public hearing and resolution approving the Year 38 Community Development Block Grant Budget, the Year 19 Home Investment Partnership Act Program Budget, authorizing the submission of the Program Year 2012 Action Plan and for other purposes ~ *Tyler/Good placed at the March 27, 2012 study session ~*
2. Ordinance amending the 2009 Unified Development Ordinance of the City of Fort Smith *(Land Use Chart - Belle Grove Historic District)*
3. Ordinance ordering the owners of certain dilapidated and substandard structures to demolish same, authorizing the City Administrator to cause the demolition of such structures to occur, and for other purposes *(900 North 12th Street and 2124 North 30th Street)*
4. Consent Agenda
 - A. Resolution to accept the bids and authorize a contract for the construction of Drainage Improvements, Project No. 11-06-A *(\$1,099,485.30 / Engineering Department / Budgeted - Sales Tax Program)*

- B. Resolution to accept the bids and authorize contracts for the construction of Fort Smith Levee Improvements, Project No. 11-06-D (*\$1,844,420.50 / Engineering Department / Budgeted - Sales Tax Program Fund*)
- C. Resolution authorizing Change Order No. 1 with VEI General Contractors, Inc. for the "P" Street Wastewater Treatment Plant Wet Weather Improvements RAS Pump Station No. 2 and Sludge Storage Tank Rehabilitation (*\$2,358.00 / Utility Department / Budgeted - 2009 Sales Tax Bond*)
- D. Resolution accepting the project as complete and authorizing final payment to VEI General Contractors, Inc. for "P" Street Wastewater Treatment Plant Wet Weather Improvements RAS Pump Station No. 2 and Sludge Storage Tank Rehabilitation (*\$120,586.00 / Utility Department / Budgeted - 2009 Sales Tax Bond*)
- E. Resolution authorizing acquisition of real property interests for the Highway 71 Interchange 12-Inch Water Line Relocation Project (*\$3,651.00 / Utility Department / Budgeted - 2008 Revenue Bonds*)
- F. Resolution authorizing the Mayor to execute an agreement with Atkins Engineering, Inc. for engineering services associated with the 24-Inch Water Transmission Line - Edwards Street (*\$116,430.00 / Utility Department / Budgeted - 2008 Revenue Bonds*)
- G. Resolution accepting the bid of and authorizing the Mayor to execute a contract with Diamond Construction Company for the 24-Inch Water Transmission Line - Edwards Street (*\$1,586,646.00 / Utility Department / Budgeted - 2008 Revenue Bonds*)
- H. Resolution authorizing the Mayor to execute an agreement with CDM Smith, Inc. for providing engineering services associated with the Wastewater Management Plan update (*\$358,892.00 / Utility Department / Budgeted - 2010 Sales Tax Bonds*)

OFFICIALS FORUM ~ presentation of information requiring no official action

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

- A. Mayor
- B. Directors
- C. City Administrator

EXECUTIVE SESSION

Appointments: Animal Services Advisory Board (2) and Director of Streets & Traffic Control

5. Resolution affirming appointments and making additional appointments to the Animal Services Advisory Board
6. Resolution confirming the appointment of Director of Streets & Traffic Control for the City of Fort Smith

CITIZENS FORUM ~ presentation of information by citizens ~ an opportunity for citizens to present matters to the Mayor and Board of Directors which involve the city government and are not directly related to items considered on the agenda for this meeting. Presentations are limited to 2 minutes for each citizen

(Section 2-44(b) of Ordinance No. 24-10)

ADJOURN

A RESOLUTION APPROVING THE YEAR 38 COMMUNITY DEVELOPMENT BLOCK GRANT BUDGET, THE YEAR 19 HOME INVESTMENT PARTNERSHIP ACT PROGRAM BUDGET, AUTHORIZING THE SUBMISSION OF THE PROGRAM YEAR 2012 ACTION PLAN AND FOR OTHER PURPOSES

WHEREAS, it is the intention of the Board of Directors of the City of Fort Smith to allocate Community Development Block Grant (CDBG) funds in such a manner that the maximum feasible priority is given to activities which will benefit low to moderate income families or persons and eliminate slum and blight.

WHEREAS, it is the intention of the Board of Directors of the City of Fort Smith to allocate HOME Investment Partnership Act (HOME) funds in such a manner as to provide affordable housing opportunities to low and moderate income persons or families.

WHEREAS, there is a total of \$772,819 estimated for Year 38 funds allocated to the CDBG Program for budgetary purposes; and

WHEREAS, there is a total of \$321,925 estimated in Year 19 funds allocated to the HOME Program for budgetary purposes; and

WHEREAS, there are funds from the Year 35, 36 & 37 CDBG program and HOME Year 18 to be reprogrammed;

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

SECTION 1: The Year Thirty-eight CDBG budget totaling seven hundred, seventy-two thousand, eight hundred and nineteen dollars (\$772,819) for budgeting purposes is adopted by reference to the attached budget sheet.

SECTION 2: The Year Nineteen HOME Program budget totaling three hundred, twenty-one thousand, nine hundred and twenty-five dollars (\$321,925) for budgeting purposes is adopted by reference to the attached budget sheet.

SECTION 3: The in-house Affirmative Action Policy which prescribes equal opportunity policies for the recruitment, hiring, training, promoting, demotions and termination of employees, with personnel goals revised annually, as stated in Resolution No. R-7-81 is reaffirmed.

- SECTION 4:** A Year Thirty-eight CDBG Affirmative Action Plan is adopted to provide contractual procedures with regard to equal opportunity personnel policies on the part of CDBG project contractors.
- SECTION 5:** The Fair Housing Program/Policy of the City of Fort Smith as stated in Resolution No. 2214, is reaffirmed to affirmatively further Fair Housing practices in the sale, lease or rental of housing and to prevent discrimination on the basis of race, color, religion, national origin, sex, disability or familial status and to provide a procedure and Fair Housing Officer to assist and educate the public on their rights and procedures available to have complaints reviewed, investigated and resolved.
- SECTION 6:** The Director of Community Development is authorized to prepare and submit the P. Y. 2012 Action Plan to carry out the activities/projects identified in the 2011-2015 Five-Year Consolidated Plan and the amendments to the P. Y. 2009, 2010 & 2011 Action Plans to the U. S. Department of Housing and Urban Development (HUD) for review and approval. Once the approvals by HUD have occurred, the Mayor is authorized to execute agreements, his signature being attested by the City Clerk, with the agencies identified in the P. Y. 2012 Community Development Department Budget as application numbers 2012-A through 2012-W to undertake the activities/projects in the Action Plan.
- SECTION 7:** All approved agencies of CDBG and HOME funds will use, at a minimum, the city's procurement procedures for any services or contracts.
- SECTION 8:** Any CDBG project not commenced by June 30, 2013 will be canceled and the project funding will transfer to the Fort Smith Housing Assistance Program #8722. All CDBG program income from prior projects will transfer to the Fort Smith Housing Assistance Program #8722 and the allowed 20% for program administration will be deducted prior to the transfer.
- SECTION 9:** Any HOME project not commenced by June 30, 2014 will be canceled and the funding will transfer to the Downpayment Assistance Program #8503 with the exception of CHDO Reserve funds. All HOME program income received by the City will transfer to the Downpayment Assistance Program # 8503 with the allowed 10% for program administration deducted prior to the transfer. HOME recaptured funds will be used according to federal regulations.
- SECTION 10:** Any funding rescissions from the U. S. Dept. of HUD that reduce the budgeted amounts in this resolution and attached budget will cause each project/activity to take a reduction by the same percentage amount that the funds were reduced.

SECTION 11: Subject to approval of form by the City Attorney, the City Administrator or his authorized agent is authorized to execute any documents related to real property transactions that are funded with the CDBG and / or HOME funds, this includes but is not limited to deeds, mortgage releases, subordination agreements and participation in HUD's FHA Good Neighbor Program.

SECTION 12: The City Administrator is authorized to execute all grant documents and certifications required by the U. S. Department of Housing and Urban Development. The City Administrator or his authorized agent will be designated as the Environmental Certifying Officer.

SECTION 13: Any activity that is proposed to be altered in terms of its purpose, scope, location, or beneficiaries to such an extent that it can no longer reasonably be construed as the activity reviewed by the public and approved by the Fort Smith Board of Directors will be canceled.

THIS RESOLUTION APPROVED THIS 3rd DAY OF APRIL 2012.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

*Approved acts form
JPC
NO publication required*

CDBG Program Year 2012 COMMUNITY DEVELOPMENT BUDGET

Application Identifier	Agency	CDBG		CDBG		Total
		Year 35	Year 36	Year 37	Year 38	
12-A	Children's Emergency Shelter - Security			\$11,428	\$25,256	\$36,684
12-B	Next Step Day Room - Safe Haven/Campus				\$90,721	\$90,721
PS-12-C	Good Samaritan Clinic - Medical Services				\$20,289	\$20,289
PS-12-D	Girls, Inc. - Membership & Summer Fees				\$1,500	\$1,500
PS-12-E	The ARC for the River Valley - Client Fees				\$4,000	\$4,000
PS-12-F	Lincoln Childcare Center - Tuition Fees				\$5,400	\$5,400
PS-12-G	Heart to Heart PSC - Baby Items				\$8,199	\$8,199
PS-12-H	Fountain of Youth - Client Fees				\$2,400	\$2,400
PS-12-I	Community Dental Clinic - Patient Fees				\$15,289	\$15,289
PS-12-J	WestArk RSVP - VITA Tax Assistance				\$9,000	\$9,000
PS-12-K	WestArk RSVP - Medicare Counseling				\$6,000	\$6,000
PS-12-L	Next Step Day Room - Case Management				\$20,000	\$20,000
PS-12-M	First Tee of Fort Smith - Fees and Trans.				\$200	\$200
PS-12-N	Crisis Intervention Center - Case Management				\$23,700	\$23,700
12-O	Bost, Inc. - Building Improvements	\$9,000				\$9,000
12-P	The ARC for the River Valley - Drainage	\$1,400				\$1,400
12-Q	Old Fort Homeless Coalition - Campus Acq.	\$7,892	\$72,129	\$56,764	\$13,497	\$150,282
12-R	WestArk RSVP - Building Improvements	\$29,164				\$29,164
12-S	Lend A Hand - Fisher's Way at Chaffee				\$59,955	\$59,955
	Fort Smith Housing Assistance			\$28,951	\$234,015	\$262,966
	FS Housing Rehab. Administration				\$60,000	\$60,000
	Fort Smith - Administration			\$15,237	\$154,563	\$169,800
	Unprogrammed			\$1,904	\$18,835	\$20,739
	Totals	\$47,456	\$72,129	\$114,284	\$772,819	\$1,006,688

HOME Program Year 2012 COMMUNITY DEVELOPMENT BUDGET

Application Identifier	Agency	HOME Year 18		HOME Year 19		Total
		CHDO	EN	CHDO	EN	
12-T	Housing Authority of FS - New Const.				\$74,606	\$74,606
12-U	CSCDC - Acq/Rehab/Resale - CHDO	\$93,378		\$47,918		\$141,296
12-V	CSCDC - Homebuyer's Assistance - DPA				\$84,982	\$84,982
12-W	Lend A Hand - New Const. - CHDO			\$80,000		\$80,000
	Fort Smith - HOME Administration				\$32,192	\$32,192
	Unprogrammed				\$2,227	\$2,227
	Totals	\$93,378		\$127,918	\$194,007	\$415,303

CHDO – Community Housing Development Organization
DPA – Down Payment Assistance

EN – Entitlement



Memo

To: Ray Gosack, City Administrator

From: Matt Jennings, Director of Community Development

CC: Wally Bailey, Director of Development Services

Date: 3/29/2012

Re: *Recommendations by the Community Development Advisory Committee for Year 38 CDBG and HOME Year 19 Program Funding - Program Year 2012 (July 1, 2012 - June 30, 2013)*

Attached is the memo from Fran Hall, Chairperson of the Community Development Advisory Committee (CDAC). As you know, her memo sets forth the recommendations of the CDAC which were reviewed with the Board of Directors in the study session on March 27.

A resolution is attached detailing the budget of both programs as set forth by the CDAC recommendations and other items prescribed in the 2011 – 2015 Five Year Consolidated Plan. The resolution also contains the re-programming of Year 35, 36 & 37 CDBG and Year 18 HOME funds.

Because of the amount of paper used for this item, I am requesting the Directors and others refer to the study session packet for the copies of the applications filed for consideration. The information is also placed on the City website.

Should you have any questions or comments, please let me know.

Memo

To: Ray Gosack, City Administrator

From: Fran Hall, Chairperson of the Community Development Advisory Committee

CC: Wally Bailey, Director of Development Services and Matt Jennings, Director of Community Development

Date: 3/29/2012

Re: Recommendations for Year 37 CDBG and Year 18 HOME Investment Partnership Programs (*Community Development Department Budget for Program Year 2011: July 1, 2011 - June 30, 2012*)

The Community Development Advisory Committee (CDAC) held three public hearings on March 10, 2011, to hear funding requests for Community Development Block Grant (CDBG) and HOME Investment Partnership Act Program funds. At the close of the final public hearing, the CDAC members met to consider funding recommendations to the Fort Smith Board of Directors. On November 16, 2010, the City Board of Directors approved the Five Year Consolidated Plan which established priorities for funding allocations to both the CDBG and HOME programs. The following table reflects those priorities as they relate to the Program Year 2011 allocations:

CDBG AND HOME FUNDS			
CATEGORY	YEAR 37 CDBG	YEAR 18 HOME	TOTALS
Homelessness	\$101,207		\$101,207
Public Service	\$101,207		\$101,207
Community Development	\$320,489		\$320,489
HOME/CHDO		\$462,969	\$462,969
Administration	\$134,943	\$52,229	\$187,172
Unprogrammed	\$16,869	\$7,101	\$23,970
Totals	\$674,715	\$522,299	\$1,197,014

The amounts contained within the above table are estimated since the federal government is operating on a Continuing Resolution (CR). The HUD Little Rock Field Office recommended that all entitlement cities should budget for a 25% decrease for CDBG and budget approximately the same amount for HOME as last year. The staff decreased the CDBG total by 25% from the allocation amount last year and decreased HOME by a minimal amount. It is doubtful that these numbers will be finalized before the Board reviews the resolution in the voting session on April 5, 2011.

Other funds reprogrammed from Year 37 in the amount of \$38,098 and Year 18 HOME of \$93,378 were due to Lend A Hand not entering into agreements by the December 31, 2011 deadline as required in the sign-off on the applications.

The CDAC continues to use the rating criteria for determining funding recommendations. A spreadsheet showing the total points from the rating criteria is attached. The rating system is a useful tool for CDAC members to determine funding in categories where there were many requests but few dollars for allocation. It is not a perfect system, and the public service category requires some subjective analysis to allocate funds. The criterion includes the applicant's experience performing the proposed activity, the organization's capacity to perform, the reasonable amount of the request, project implementation and financial feasibility of the project. Bonus points were awarded on the basis of: a) urgency or necessity of the project; b) variety of services provided by the organization; and c) duration of services provided. The applications are linked to the Objectives/Strategies/Goals of the adopted Five Year Consolidated Plan and the rating criteria.

Behind the rating criteria summary is a spreadsheet that indicates the amount of CDBG and/or HOME program unspent funds by agency and year. The spreadsheet contains the amount awarded and balance amounts as of March 15, 2012. Any program income on hand by each organization is noted in the application itself. Following that spreadsheet is the rating summary and the funding worksheets used for each category with the final CDAC recommendations of funding.

The task of making recommendations to the Board of Directors is more difficult this year due to the decreased funds available in CDBG, HOME and competitive funding requests. This year 23 applications were filed, which is two more than last year's cycle. The committee and city staff listened to application proposals during the three public hearings held that day. Upon closing the public hearing at 5:30 p.m., the committee deliberated until past 9:00 p.m. to reach a consensus on the submitted funding requests and formulate recommendations to the Fort Smith Board of Directors.

Homeless Category

This category received two applications—which is the same as last year and essentially the same requests. Although the Children's Emergency Shelter application rated lower than the Next Step Day Room application there was a consensus of the CDAC members present that due to the nature of the security project for the CES that it be fully funded and the balance would go to the Next Step Day Room as part of the Safe Haven/Campus projects.

Public Service Category

The public service category received twelve applications, which is one more than last year's funding cycle. You will note that the Community Services Clearinghouse has decided not to ask for funding this year due to the high cost of administering these projects. However, several have stepped in that have not traditionally received funding in the immediate past, they are: Girls, Inc., The ARC for the River Valley and First Tee of Fort Smith. The total amount requested this year was \$236,975, compared to for 2011: \$230,943, 2010: \$206,785 and in 2009: \$189,245. We believe the increase is due to the current condition of the economy and that non-profits are stretched to the limits of providing services to our fellow citizens. The agencies are seeking additional funding from all other sources as well. Federal regulations require the City to use no more than 15%

of the entire CDBG allocation for the public service category which is \$115,977. Although it was the desire of the committee members to recommend full funding to the agencies, it was not possible. The CDAC will obtain public review and comments concerning a maximum and minimum grant amount request in the public service category due to concerns that the amounts being requested are not realistic with the monies available. Further information concerning changes is located at the end of this memo.

Community Development Category

The community development category received five applications this year compared to three last year. The Old Fort Homeless Coalition rated the highest in the category and was recommended for the majority of the funding. WestArk RSVP's building improvements project rated next with Bost, Inc. (building improvements), Lend A Hand (public infrastructure for Fisher's Way at Chaffee) and The ARC River Valley (drainage) were recommended for the balance of the funding.

HOME Investment Partnership Act / Community Development Housing Organization (CHDO)

This category funding was severely reduced by the federal government this year due to an investigation of HOME projects by The Washington Post. It is unfortunate that some bad actors have caused the rest of the participants to be penalized. The CSCDC's two projects were the highest rated, the next highest rated proposal by the Fort Smith Housing Authority, which is the construction of one new single family home and then Lend A Hand for one new single family home.

As CDAC members, we acknowledge that the staff is concerned about the number of houses built by the FSHA and Lend-A-Hand, Inc. that are currently vacant, which is six and four respectively. Both agencies believe that housing market conditions will pick up and the homes will begin selling. The housing authority indicates in its application that one of the six is under contract and Lend A Hand has two under contract. The agencies have agreed to continue to work with staff to be sure the market is absorbing these homes and not left vacant.

CDAC Recommendations

The table on page five lists all funding *recommendations* by the CDAC and the City's Housing Assistance Program, administrative costs and un-programmed funds. We are pleased to report that all agencies submitting applications for funding were on time and complete, and we extend our thanks for their hard work. However, the committee could not recommend all requests be funded to their full amounts.

Program income continues to be generated by the city's housing assistance program, the nonprofit partners, and the FSHA which continues to be reused for affordable housing and housing assistance projects. The expenditure of program income to the City is reported annually in the Consolidated Annual Performance and Evaluation Report (CAPER) which is online at the city's website and updated annually and provided to the Board of Directors once the report is accepted by the Department of HUD.

I will be in attendance at the March 27 study session and at the Board of Directors voting session on April 3.

Proposed Changes

Due to the challenges faced by the CDAC making funding allocations, the staff will begin working on some changes to the allocations process. Some items to consider include:

- An agency that does not sign an agreement by the deadline may not file applications in the following funding cycle
- Start the funding process on the second week in January and add a study session the week before the public hearings and recommendations.
- A minimum and maximum funding request amount in public service
- An agency may file only one application per category
- An agency that does not sign an agreement by the deadline may not file applications in the following funding cycle.
- Any other recommendations that come from the recipient organizations and the public.

We are also interested in any direction that the Board of Directors may recommend.

CDAC Members

Fran Hall - Chairperson

Kerri Norman

Genia Smith

Cinda Rusin (absent due to family emergency)

George Willis - Vice Chairperson

Joshua Carson

Yvonne Keaton-Martin

Attachment 1 – PY 2012 CDBG Funds by Category

Attachment 2 –PY 2012 HOME Funds by Category

Attachment 3 – CDBG & HOME Summary of Funding Requests

Attachment 4 – Rating Summary of Funding Requests

Attachment 5A-D – Funding Recommendations Worksheets by Category

Attachment 6 – Unspent CDBG & HOME Funding by Agency

Attachment 7 – CSCDC Letter to delay Clayton Park Phase II Affordable Housing Project

Applications – A to W

Attachment 8A – Fort Smith CDBG Allocations 1995-2012

Attachment 8B – Fort Smith HOME Allocations 1999-2012

Attachment 9A – Fort Smith CDBG Allocations Inflation Adjusted 1999-2012

Attachment 9B – Fort Smith HOME Allocations Inflation Adjusted 1999-2012



CDBG Program Year 2012 COMMUNITY DEVELOPMENT BUDGET

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PS-12-J	WestArk RSVP - VITA Tax Assistance				\$9,000	\$9,000
PS-12-K	WestArk RSVP - Medicare Counseling				\$6,000	\$6,000
PS-12-L	Next Step Day Room - Case Management				\$20,000	\$20,000
PS-12-M	First Tee of Fort Smith - Fees and Trans.				\$200	\$200
PS-12-N	Crisis Intervention Center - Case Management				\$23,700	\$23,700
12-O	Bost, Inc. - Building Improvements	\$9,000				\$9,000
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	Fort Smith Housing Assistance			\$28,951	\$234,015	\$262,966
	FS Housing Rehab. Administration				\$60,000	\$60,000
	Fort Smith - Administration			\$15,237	\$154,563	\$169,800
	Unprogrammed			\$1,904	\$18,835	\$20,739
	Totals	\$47,456	\$72,129	\$114,284	\$772,819	\$1,006,688

HOME Program Year 2012 COMMUNITY DEVELOPMENT BUDGET

Application Identifier	Agency	HOME Year 18		HOME Year 19		Total
		CHDO	EN	CHDO	EN	
12-T	Housing Authority of FS - New Const.				\$74,606	\$74,606
12-U	CSCDC - Acq/Rehab/Resale - CHDO	\$93,378		\$47,918		\$141,296
12-V	CSCDC - Homebuyer's Assistance - DPA				\$84,982	\$84,982
12-W	Lend A Hand - New Const. - CHDO			\$80,000		\$80,000
	Fort Smith - HOME Administration				\$32,192	\$32,192
	Unprogrammed				\$2,227	\$2,227
	Totals	\$93,378		\$127,918	\$194,007	\$415,303

2.

ORDINANCE NO. _____

**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 March 13, 2012, that said changes be made; and,

WHEREAS, three (3) copies of April 2012 Amendments to the Unified Development Ordinance has 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,

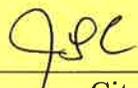
NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH THAT:

SECTION 1: The April 2012 Amendments to the Unified Development Ordinance are hereby adopted.

SECTION 2: The codifier shall codify the new sections and 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

Approved as to Form:



City Attorney
Pablosh / Tim

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 _____ DAY OF _____, 2012.

APPROVED:

Mayor

ATTEST:

City Clerk

Memorandum

To: Ray Gosack, City Administrator
From: Wally Bailey, Director of Development Services
Date: 3/29/2012
Re: UDO Amendments –Appendix A – Belle Grove Historic District Land Uses

The Planning Department is proposing amendments to Appendix A of the Unified Development Ordinance. Appendix A is the land use chart that identifies permitted (P) and conditional (C) land uses in specific zoning districts.

All the proposed amendments relate to land uses in the Residential Historic (RH) zoning district (a/k/a Belle Grove Historic District). An analysis of the land uses was conducted by the planning staff with consideration of past, present and future land uses.

A copy of Appendix A is attached to this memorandum. The changes are highlighted in legislative formatting showing the new designation underlined and strikeout for all deletions.

We discussed these proposed changes with the Fort Smith Historic District Commission (FSHDC) in a study session prior to their regular meeting. The FSHDC voted unanimously on March 1, 2012, to approve and recommend these amendments to the Planning Commission and Board of Directors.

The Planning Commission reviewed the proposed changes and recommendation from the FSHDC at their March study session and their March 13, 2012, regular meeting. The Planning Commission voted unanimously to recommend these amendments to the Board of Directors for adoption.

Please contact Maggie Rice or myself if you have any questions regarding the proposed amendments.

Appendix A

Fort Smith Use Matrix		J	K	L	M	N	O	Q	R	S	T	U	W	X	Y	AB	Z	AC	AD	AE	AF					
Structure	Districts	RE3	RE1	RS-1	RS-2	RS-3	RS-4	RSD-2	RSD-3	RSD-4	RM-2	RM-3	RM-4	RMD	RH	T1,2,3	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	I-4
P = Permitted Use, C = Conditional Use, A = Accessory Use <i>Size or density restrictions for any use may be noted in the district</i>																										
Residence or Accommodation																										
Private Household																										
Single Family building																										
Accessory residential dwelling unit																										
Detached																										
Duplex																										
Guest house																										
Manufactured home																										
Mobile home park																										
Mobile home subdivision																										
Row house																										
Zero lot line dwelling unit																										
Multifamily (apartments/condominiums)																										
Community residential facility																										
Group home, family																										
Group home, neighborhood																										
Homeless shelter																										
Orphanage																										
Transitional dwelling																										
Housing for the Elderly																										
Assisted living																										
Retirement housing																										
Hotels, Motels, or other Accommodations																										
Bed and breakfast inn																										
Dormitory, sorority, fraternity																										
Hotel/motel																										
Rooming or boarding house																										
General Sales or Services																										
Automobile Sales or Service																										
Auto & vehicle impoundment or holding yard (no salvage)																										
Auto and vehicle dealer																										
Auto and vehicle towing (wrecker)																										
Auto auction																										
Auto body shop and paint (new parts)																										
Auto detailing service																										
Auto glass, muffler, and seatcover shop																										
Auto parts and accessories sales																										
Auto quick lube																										
Auto repair																										
Auto repair or assembly (salvage parts)																										

2B

Appendix A

	RE3	RE1	RS-1	RS-2	RS-3	RS-4	RS-5	RSD-2	RSD-3	RSD-4	RM-2	RM-3	RM-4	R-5	RH	T1,2,3	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-1,2	I-2	I-3	I-3
P = Permitted Use, C = Conditional Use, A = Accessory Use																											
Districts																											
Accessory Use																											
Sewing machine store (sales & service)																											
Sporting goods, toys, & musical instruments																											
Thrift store																											
Consumer Goods, Other																											
Antique shop																											
Art dealers, art studio, galleries, supplies																											
Arts and craft shop																											
Flea market (indoor)																											
Flea market (outdoor)																											
Florist shop																											
Hobby shop																											
Office supply store																											
Pawnshop																											
Pawnshop (no outside storage)																											
Tobacco shop																											
Grocery, Food, Beverage, Dairy																											
Bakery or confectionery shop																											
Beer, wine and liquor store (with drive-through)																											
Beer, wine and liquor store (without drive-through)																											
Convenience store (with gasoline sales)																											
Farmer's market																											
Fruit and vegetable store																											
Grocery store or supermarket																											
Neighborhood store																											
Health and Personal Care																											
Cosmetics, beauty supplies, and perfume stores																											
Medical appliance services																											
Optical shop																											
Pharmacy or drug store																											
Finance and Insurance																											
Auto insurance claims office																											
Automatic teller machine																											
Bank, credit union, or savings institution																											
Credit and finance establishment																											
Fund, trust, or other financial establishment																											
Insurance office																											
Investment banking, securities, and brokerages																											
Rental and Leasing																											
Auto (rental and leasing)																											
Commercial, industrial machinery & equipment																											
Consumer rental center																											
Oil and gas field equipment																											
Video, music, software																											

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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	RH	T	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	I-4
P = Permitted Use, C = Conditional Use, A = Accessory Use																											
Dance hall/night club																											
Private club																											
Race track																											
Fitness, Recreational Sports, Athletic Club																											
Bowling alley																											
Community recreation center																											
Driving range (outdoor)																											
Golf course																											
Pistol Range (Indoor)																											
Health club																											
Fitness studio																											
Indoor Games Facility																											
Miniature golf course																											
Pool hall																											
Sexually oriented business (see Ft. Smith Muni. Code Sec.14-141)																											
Skating rink																											
Sports complex/athletic field																											
Swimming pool																											
Water park																											
Camps, Camping, and Related Establishments																											
Camps, camping, and related establishments																											
Natural and Other Recreational Parks																											
Park or playground (public and nonpublic)																											
Education, Public Administration, Health Care and Other Institutions																											
Educational Services																											
College, university, or seminary																											
Fine art and performance education																											
Library or public arts complex																											
Nursery school																											
Preschool																											
Primary and secondary school																											
School, business professional																											
School, technical or trade																											
Public Administration - Government																											
Criminal justice facility																											
Detention facility																											
Government office																											
Public Safety																											
Emergency response station																											
Fire and rescue station																											
Police station																											
Police substation (no incarceration)																											

2H

Appendix A

	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	RH	T	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-1,2	I-2	I-3	I-4
P = Permitted Use, C = Conditional Use, A = Accessory Use																											
Health and Human Services																											
Community health and welfare clinic																											
Diagnostic laboratory testing facility																											
Doctor office and clinic																											
Hospice residential care facility																											
Hospital																											
Mental health hospital																											
Nursing home																											
Substance abuse treatment facility																											
Social Assistance, Welfare, and Charitable Services																											
Child and youth services (office)																											
Day care Home (12 or less)																											
Day care center																											
Community food services																											
Emergency and relief services																											
Family support services																											
Senior citizen center																											
Vocational rehabilitation																											
Religious Institutions																											
Church, synagogue, temple, mosque																											
Rectory, convent, monastery																											
Note: educational/hospital facilities owned or run by religious institutions are classified by use not ownership																											
Wedding chapel																											
Death Care Services																											
Cemetery, mausoleum, crematorium, funeral home, & mortuary																											
Monument (manufacturing)																											
Monument (sales)																											
Associations, Nonprofit Organizations																											
Lodge or fraternal organization																											
Construction-Related Businesses																											
Contractor's office																											
Contractor's shop and storage yard																											
Glass sales and service																											
Landscaping contractor																											
Sign contractor																											
Mining and Extraction Establishments																											
Coal mining																											
Metallic mining																											
Non-metallic manufacturing and mining																											
Agriculture, Forestry, Fishing, and Hunting																											
Grain storage and processing																											
Stockyard																											

21

ORDINANCE NO. _____

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

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

WHEREAS, certain owners of real property have caused or allowed certain tracts of real property to deteriorate to the condition that such tracts of real property and the improvements thereon are now, and for several months prior hereto have been dilapidated, unsightly, unsafe, unsanitary, noxious and detrimental to the public welfare, and

WHEREAS, the condition of such tracts of property and the improvements located thereon are in violation of the City Ordinances and the statutes of the State of Arkansas.

NOW, THEREFORE,

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

STREET ADDRESS:

**900 NORTH 12th STREET - LOTS 1 & 2, BLOCK 87; CITY ADDITION
2124 NORTH 30th STREET - LOTS 5 & 6, BLOCK 2; MAIDLOW ADDITION**

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

*Approved as to form
JSC
Public Health*

SECTION 3: With reference to said tracts of real property and improvements located there for which the order contained in Section 2 of this ordinance has not been complied with within thirty (30) calendar days from the date of passage of this ordinance, the City Administrator is hereby authorized to execute a contract, based on the bid(s) accepted on the date of this action or at a later date, for the removal or razing of the described improvements on the tracts of real property in order to remedy the unsightly and unsanitary conditions located on said tracts of property.

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

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

PASSED AND APPROVED this _____ day of _____ 2012.

APPROVED:

Mayor

ATTEST:

City Clerk



MEMORANDUM

Building Safety Division

TO: Ray Gosack, City Administrator
FROM: Jimmie Deer, Building Official
DATE: March 26, 2012
SUBJECT: Unsafe Structures

The following structures have been damaged and/or deteriorated to a condition that has caused the Building Department to condemn them. The property and the improvements, thereon are now, and for several months prior hereto, have been dilapidated, unsafe, unsightly, unsanitary, obnoxious and detrimental to the public welfare and are found to be in violation of the Ordinances of the City of Fort Smith.

The property descriptions and owners are:

900 North 12th Street - Lots 1 &2, Block 87; City Addition

Owners:	Michael Carlton Perry 6854 Watergrove Dr. Memphis, TN 38119	Bancorp South bank P.O. Box 789 Tupelo, MS 38802
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2124 North 30th Street - Lots 5&6, Block 2; Maidlow Addition

Michael Steven Bray Sr. 4917 North Missouri Ave. Oklahoma City, OK 73111-6235	Dale Bray 2124 North 30 th Street Fort Smith, AR 72901
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The owners of these properties have been notified according to the procedures outlined in Section 16-88 of the Fort Smith Municipal Code. The property owners were notified by certified mail and posting the same letters on the buildings. The letter or notice contains information concerning the appeal procedure outlined in Section 16-91 of the Municipal Code. The Code specifies that they must file any appeals within fifteen (15) days from the date of service. The owner(s) of the subject properties did not file an appeal within the fifteen (15) day period nor have they requested an appeal hearing since that deadline has passed.

900 North 12th Street - The structure burnt on November 21, 2011. City staff has been in contact with the owners and the insurance company. The insurance company has paid the mortgage but is still discussing a settlement on the contents with the owner. Due to the condition of the structure and complaints from the neighborhood the structure was posted and unsafe notices were sent out to the owners on February 15, 2012 and the notices were signed for. Staff has spoken to a friend of the owner and they stated that they would demolish once the claims on the content were settled. With conversations with the insurance company there is no time frame for that to happen. As of today the owners have taken no action to obtain permits to demolish the structure.

2124 North 30th Street - The structure has had a Property Maintenance file open since 6/22/2010 with staff working at getting the owners and heirs to repair damages. The structure has been without water service since October 2011. Due to complaints from neighbors and family members the structure was posted and unsafe notices were set out on February 15, 2012. The notices were signed for. As of today the owners have taken no action to obtain permits to repair or demolish the structure.

Page 2; Unsafe Structures

Therefore, I am recommending this matter be referred to the Board of Directors for their review. An Ordinance will be prepared that will order the property owners to demolish or repair the buildings within thirty (30) calendar days and if such work has not occurred, the staff will be authorized to have the structures removed.

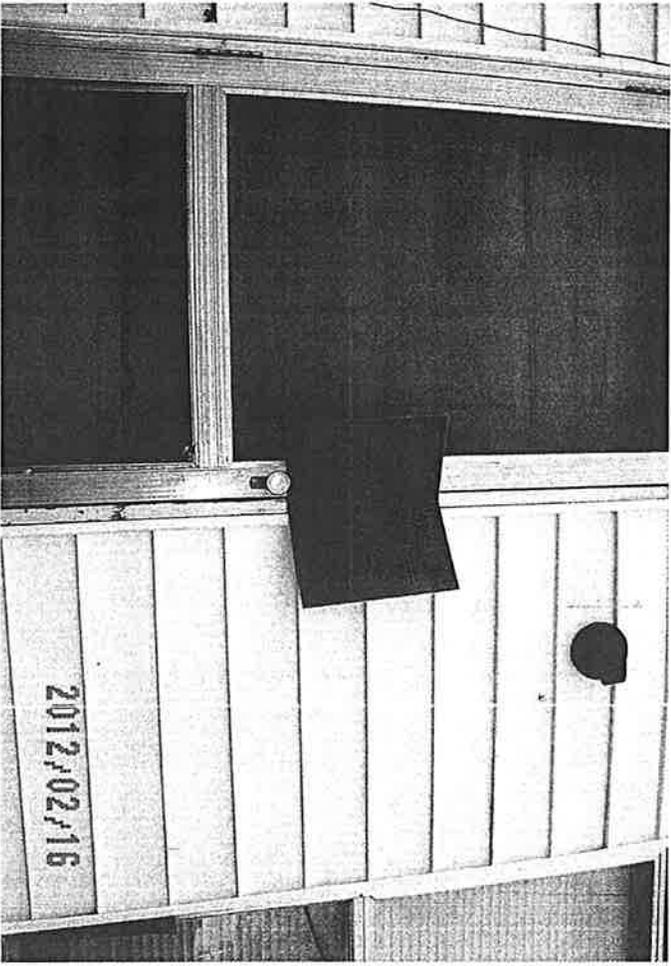
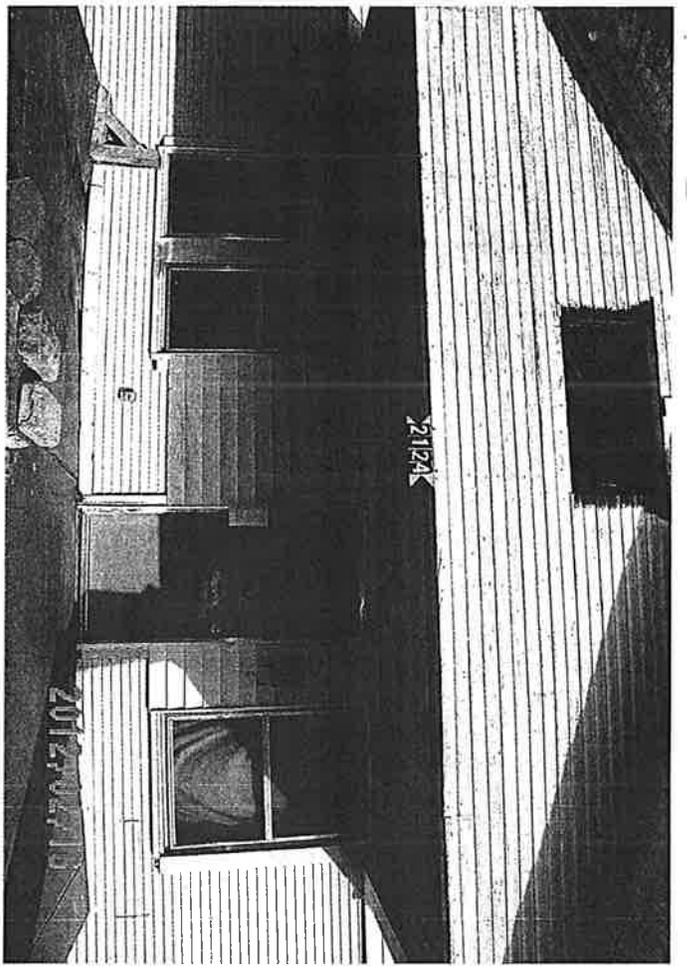
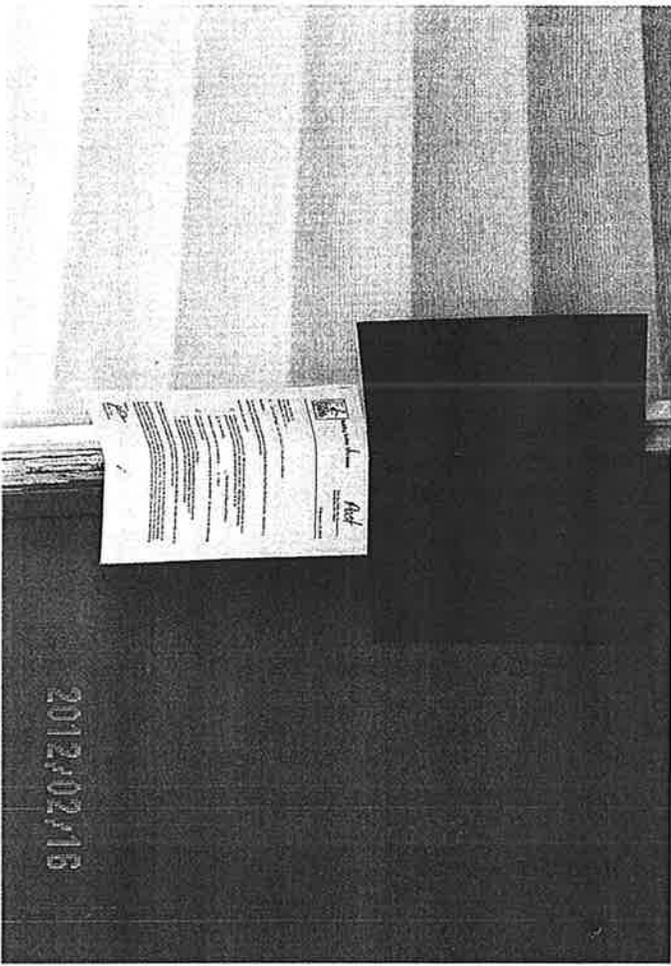
Please contact me if you have any questions or if we need to discuss this matter in more detail.

CC: Wally Bailey

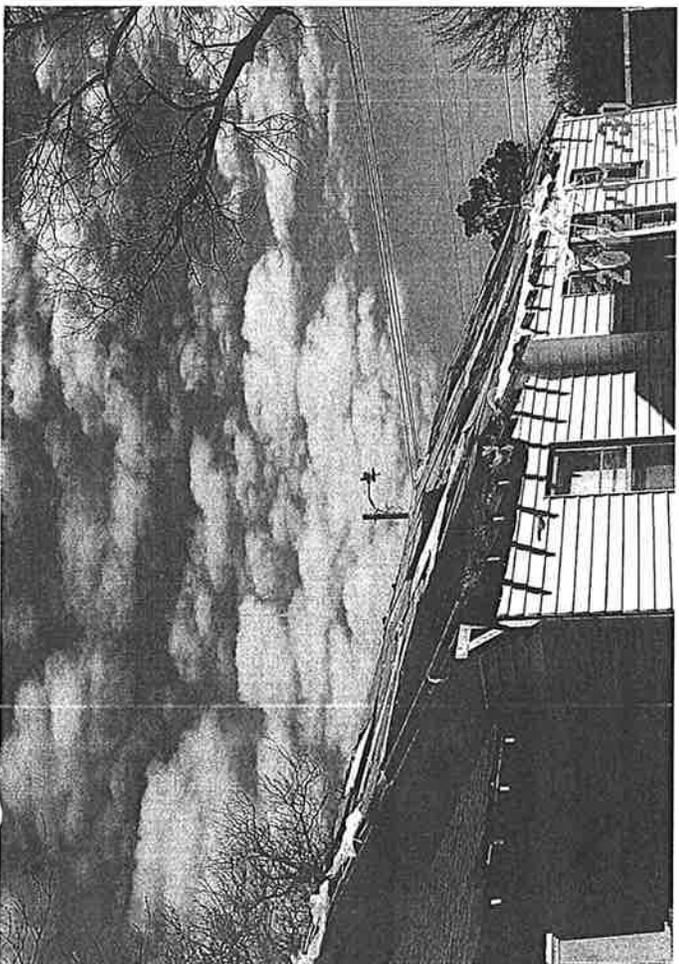
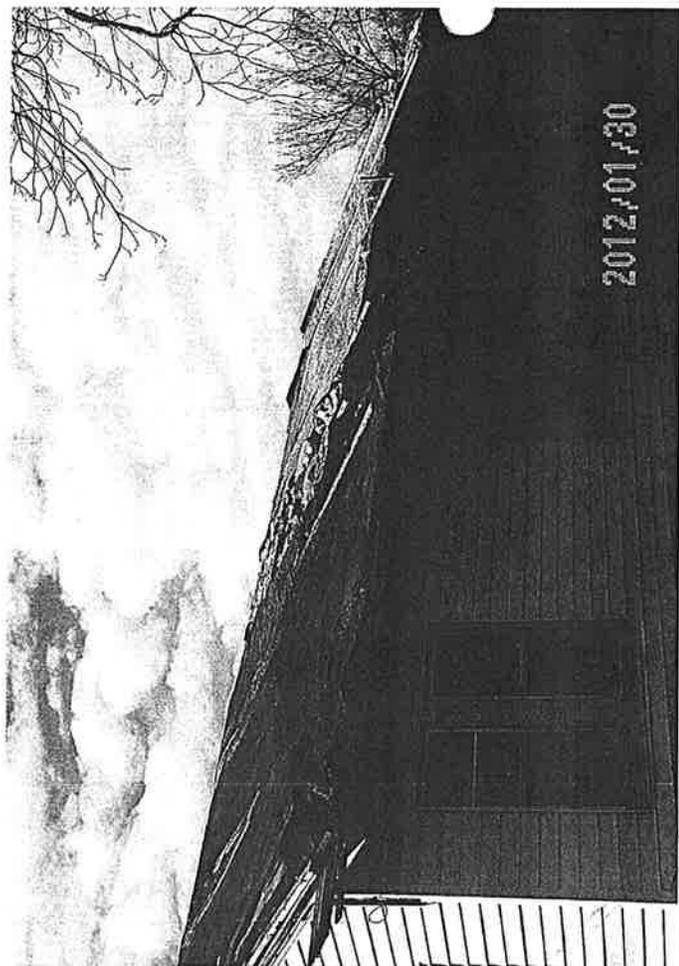


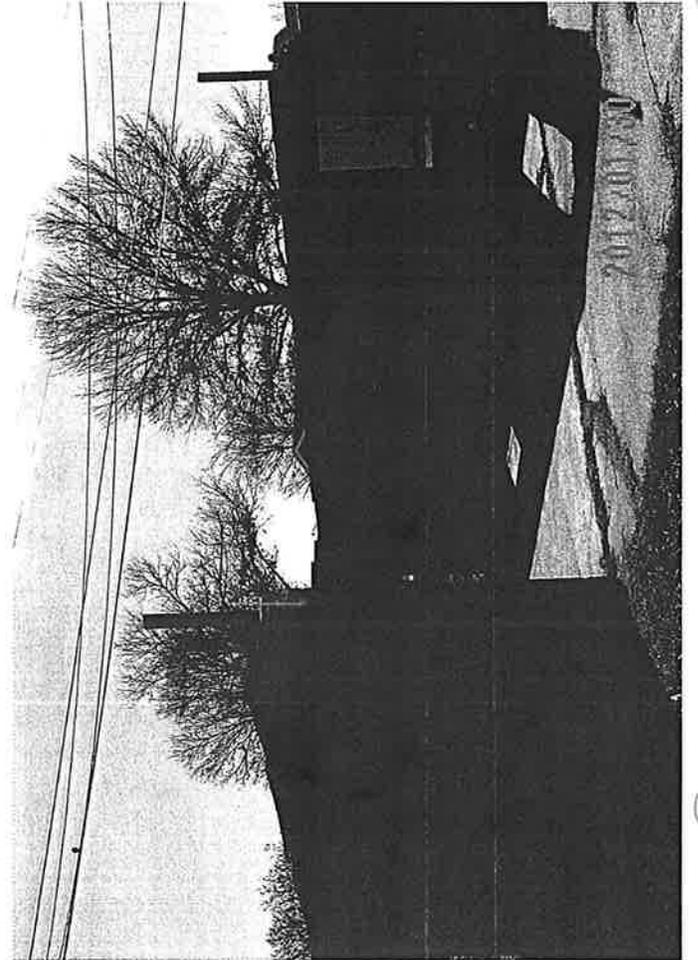
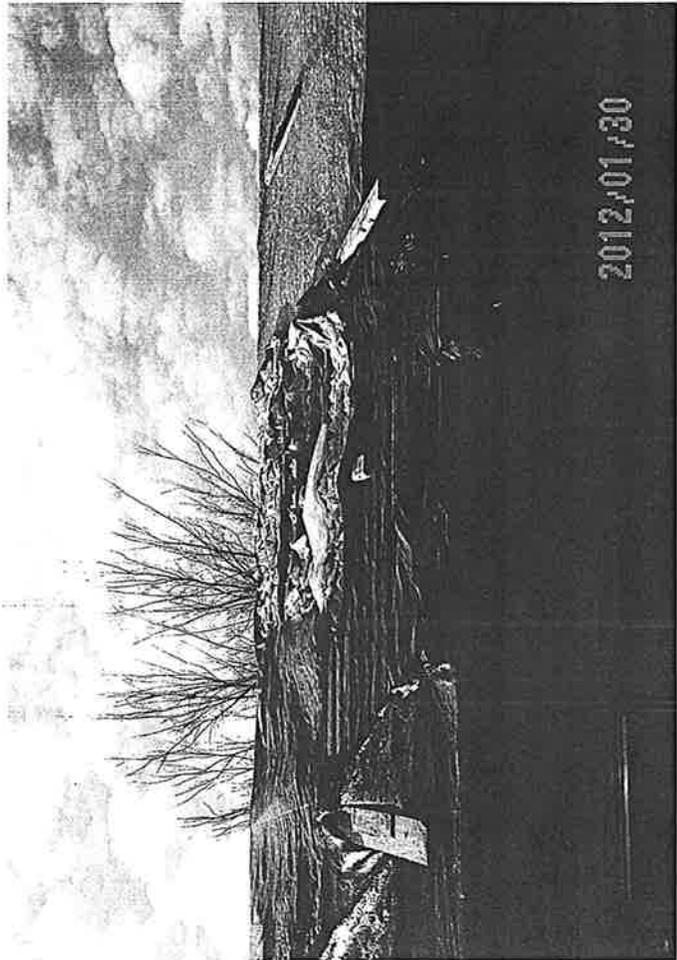
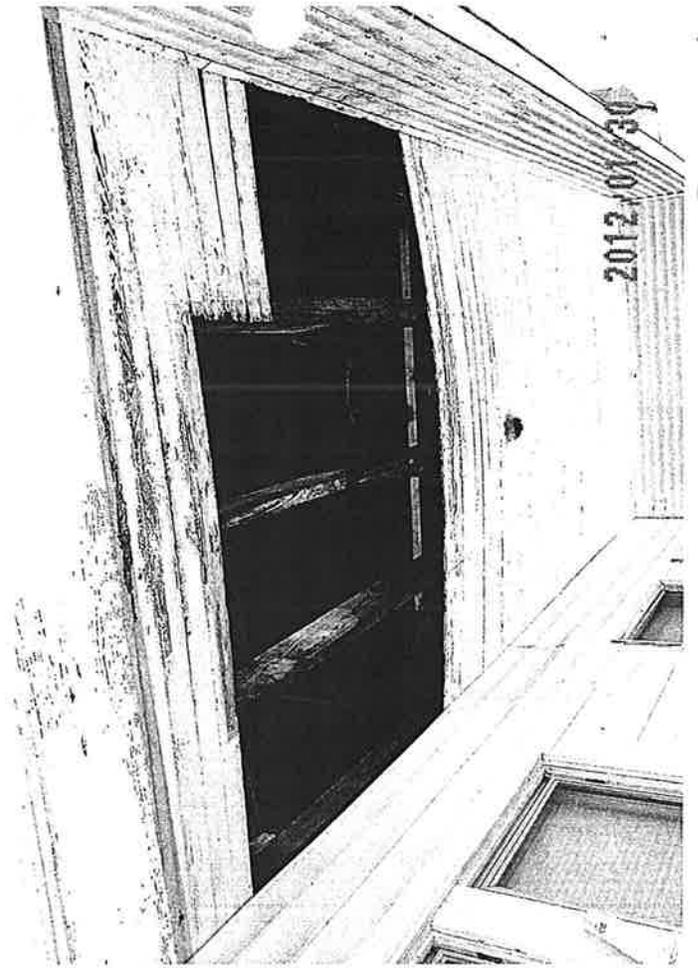
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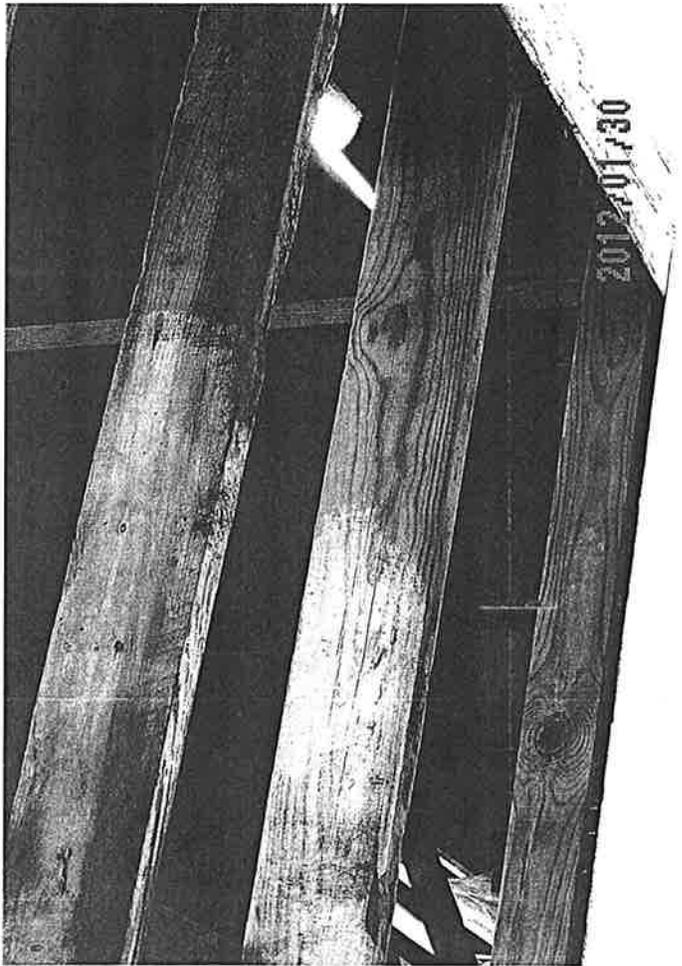
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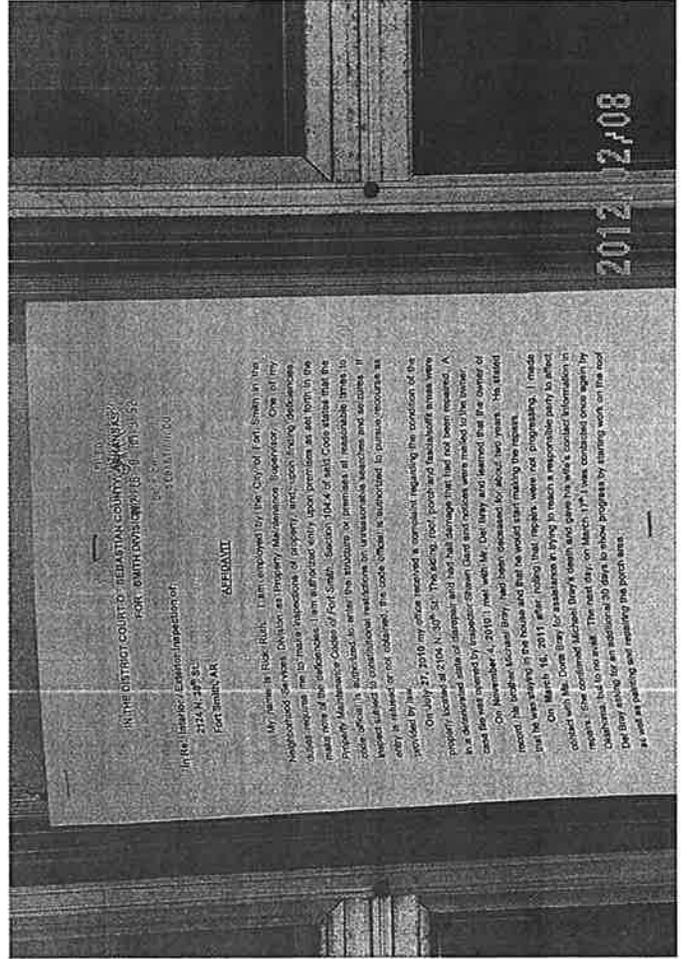
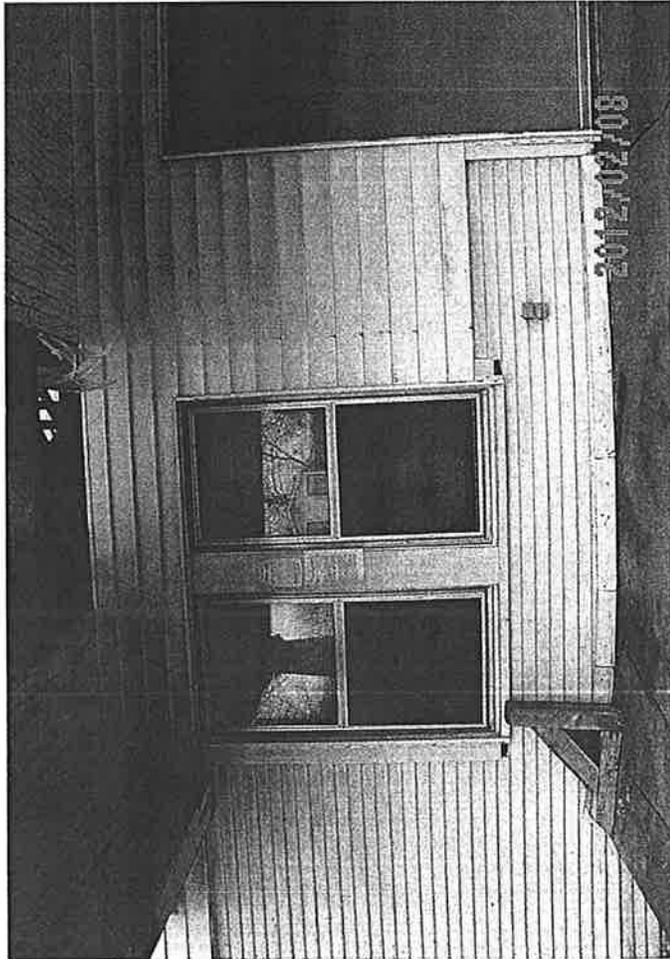
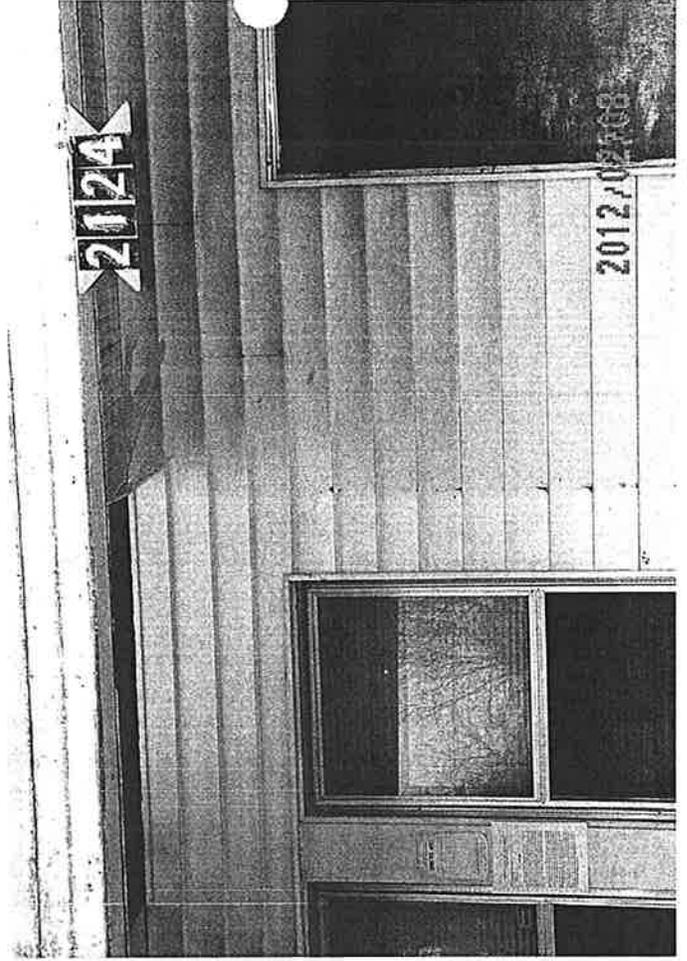


2124 N. 30th St.







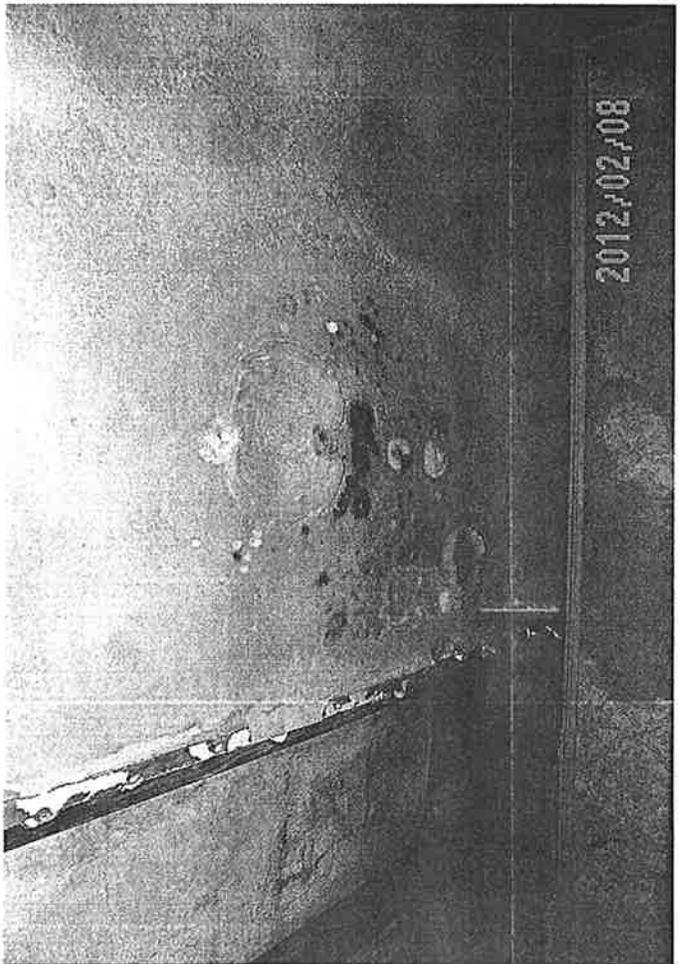
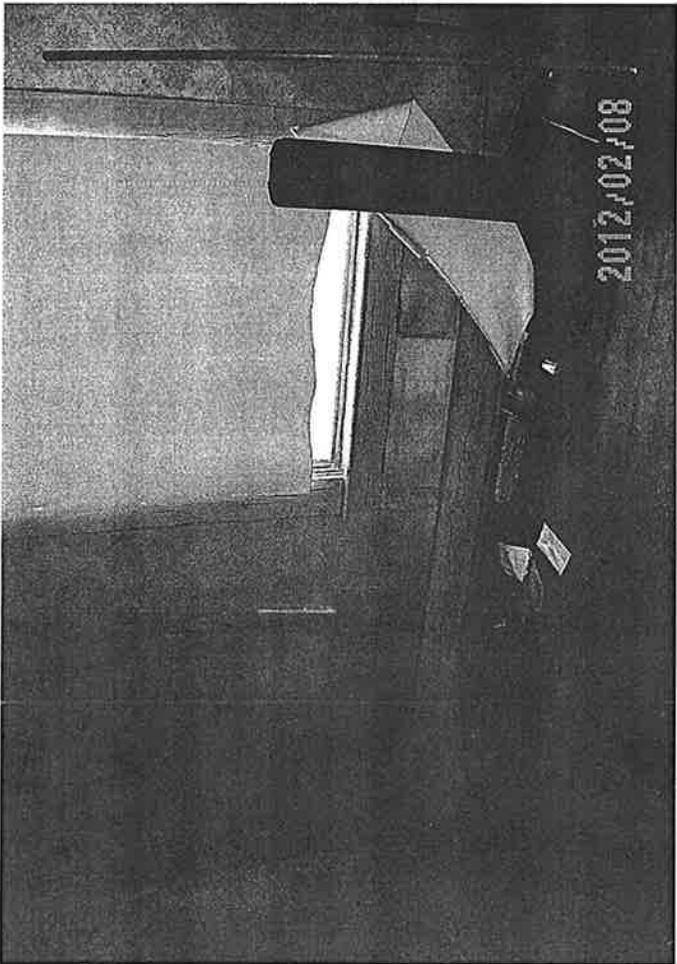
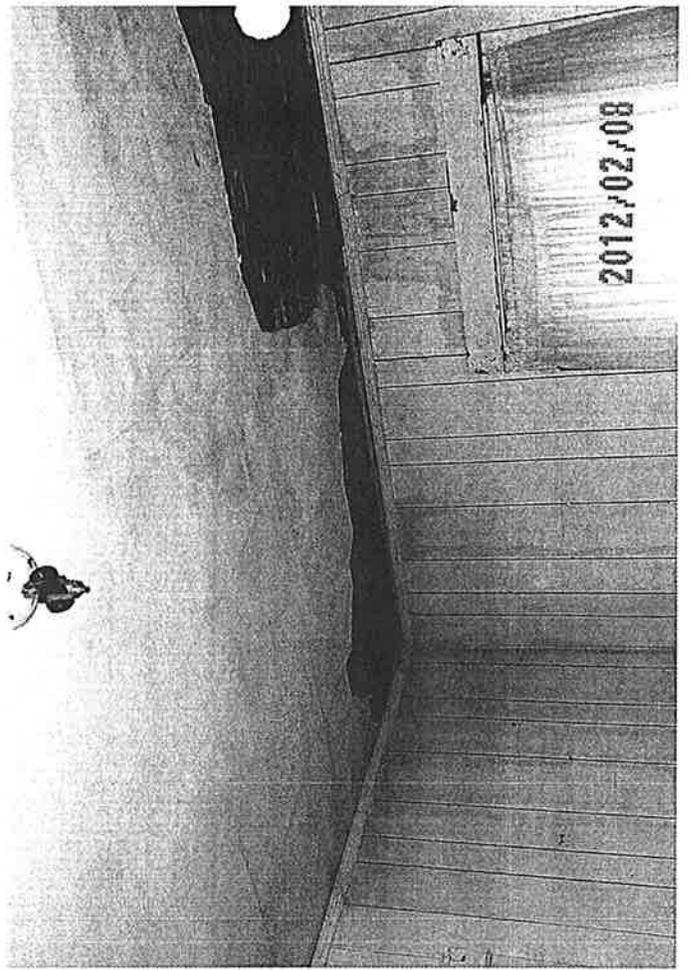
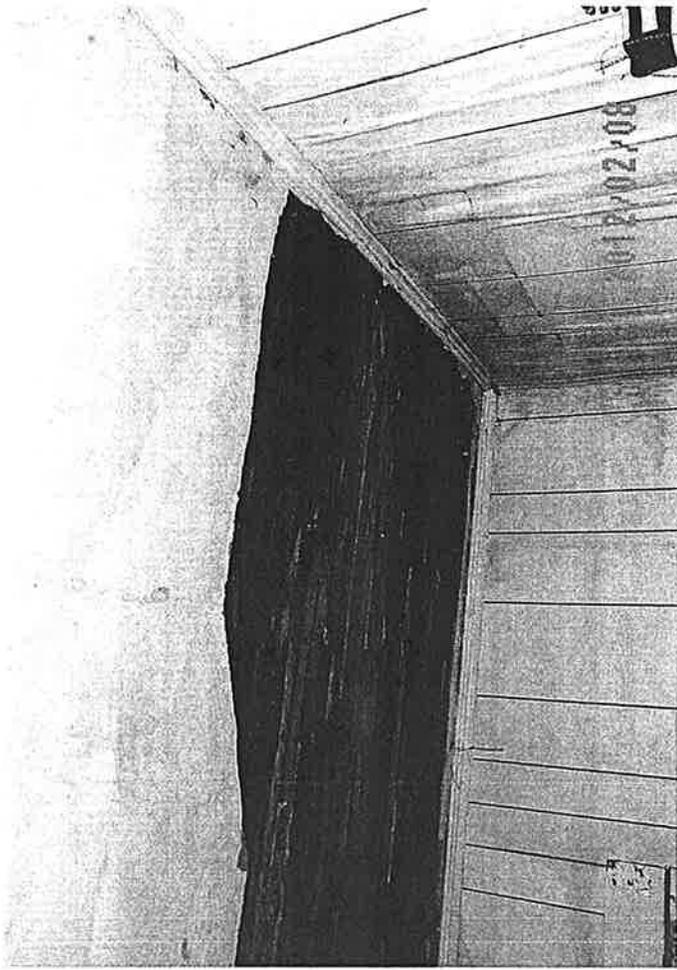


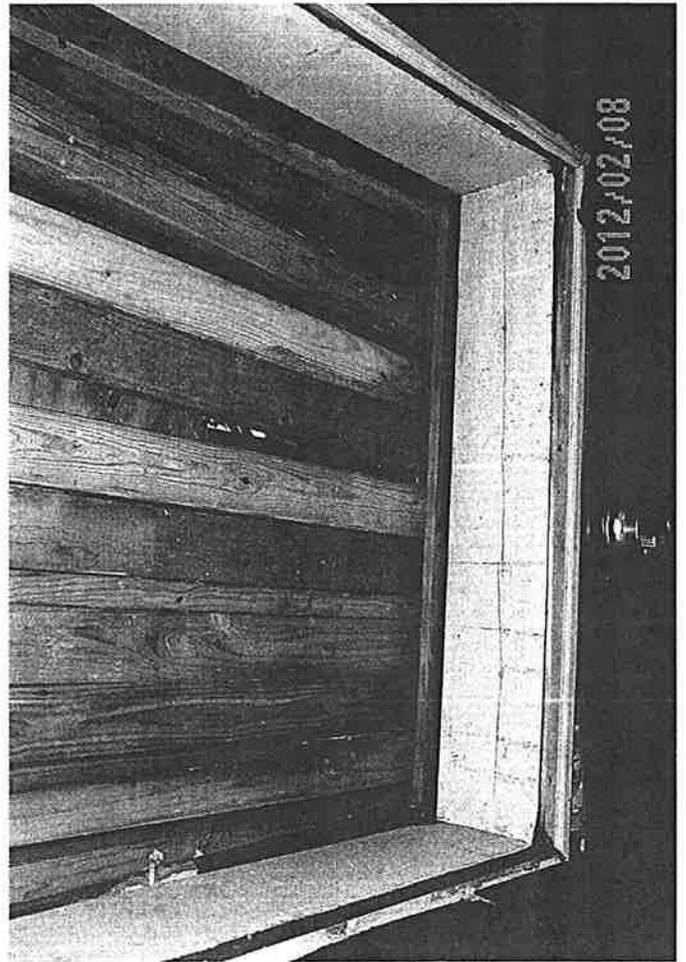
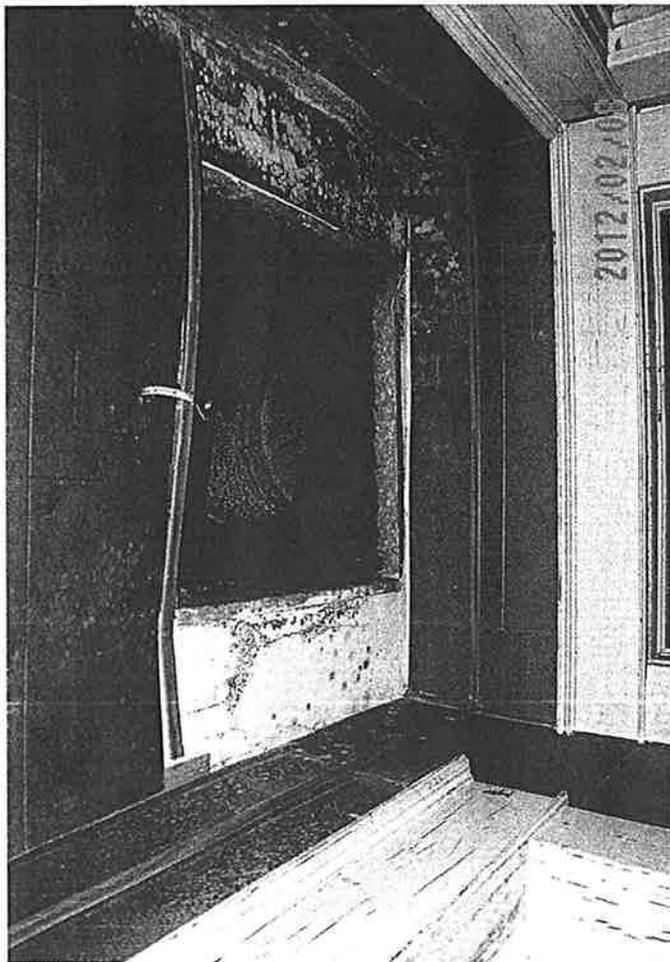
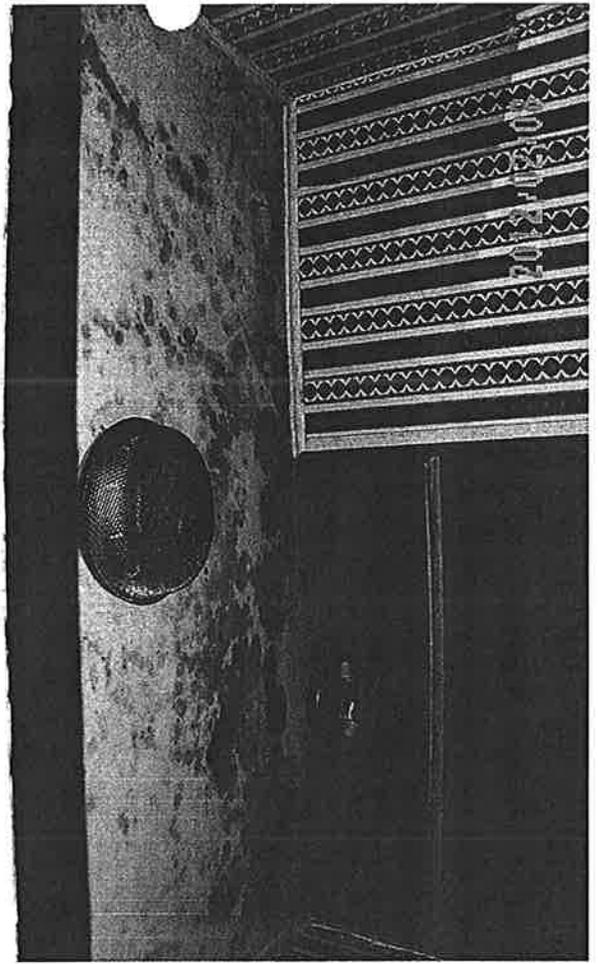
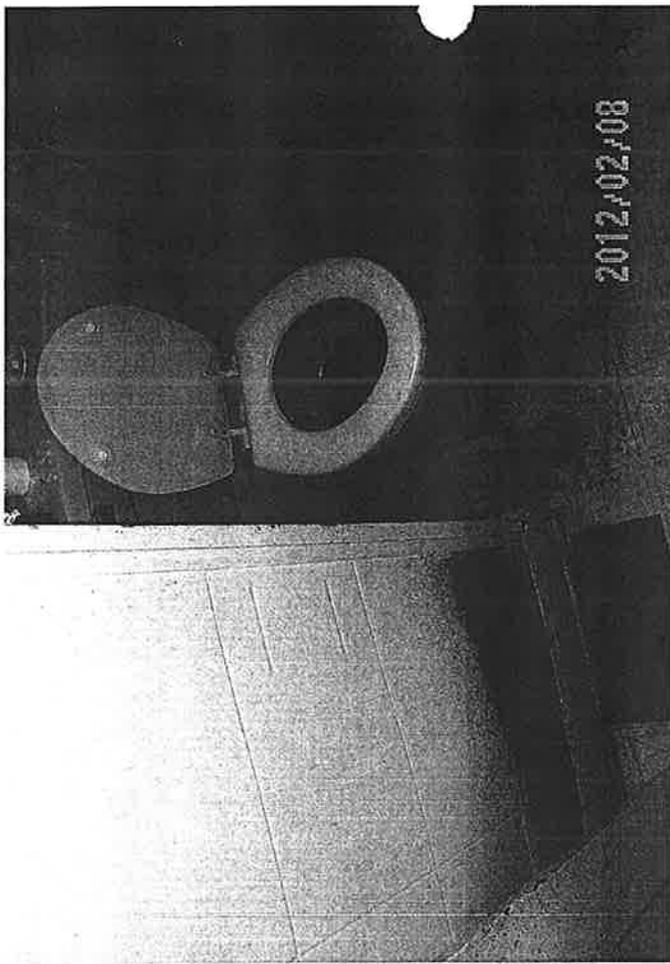
IN THE DISTRICT COURT OF DEBARK COUNTY, MISSISSIPPI
 PORT SMITH DIVISION
 Case No. 2012-000000

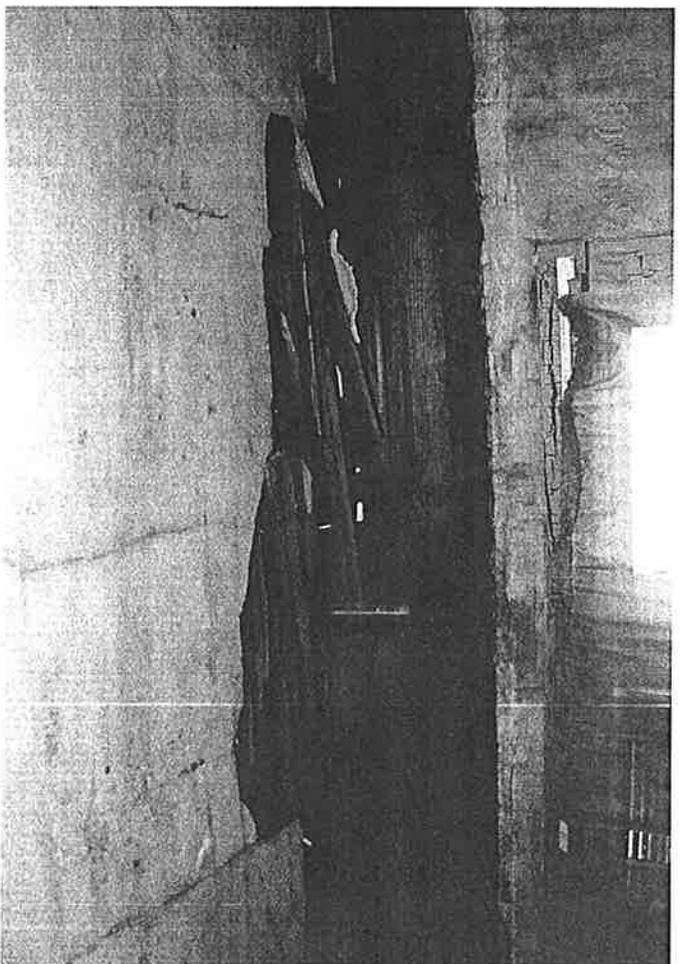
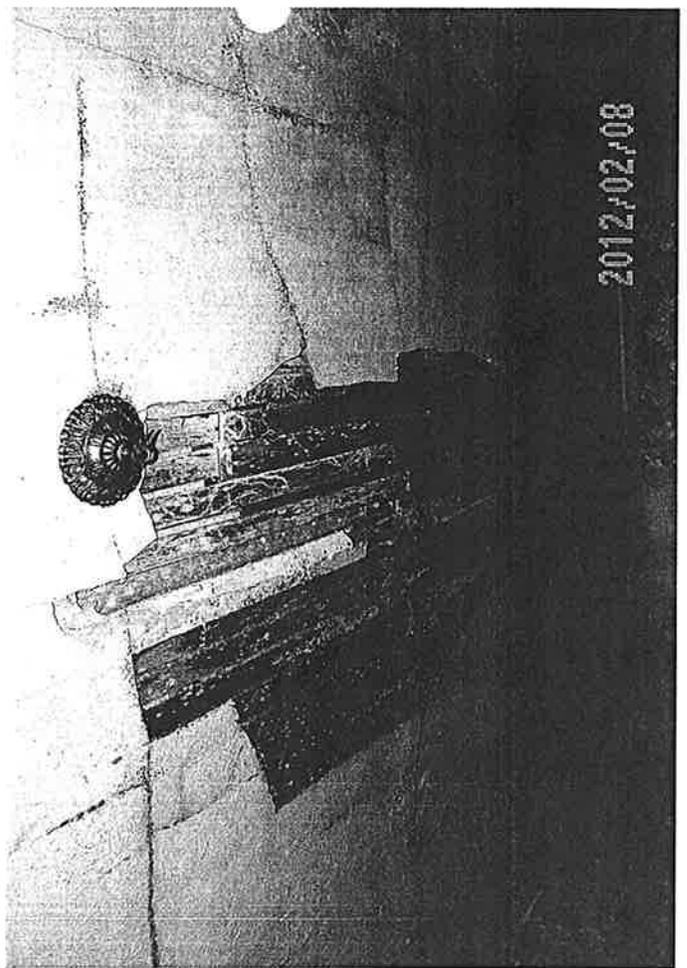
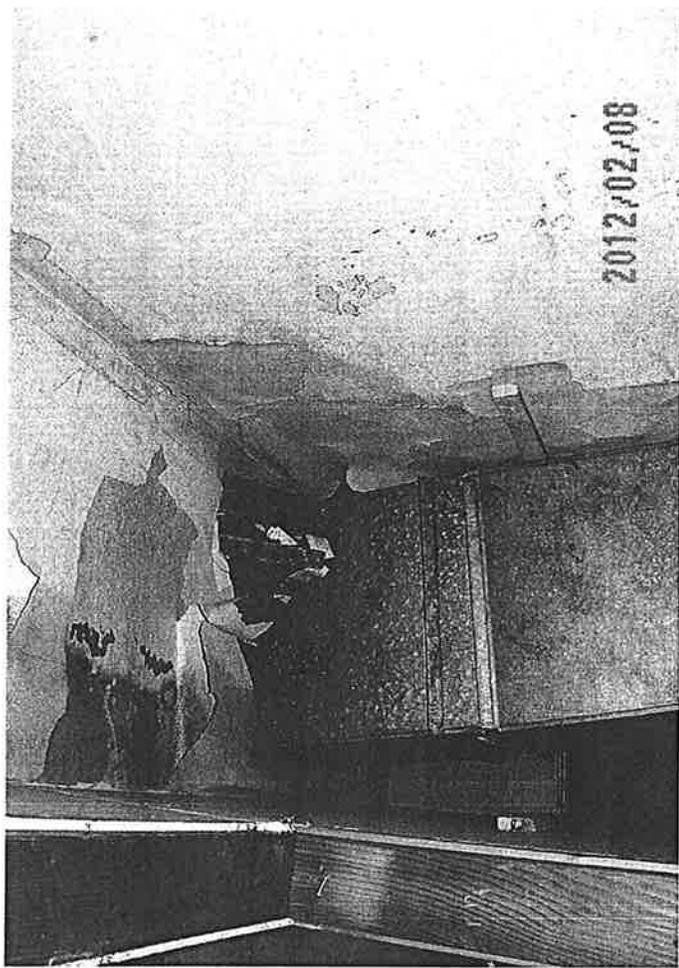
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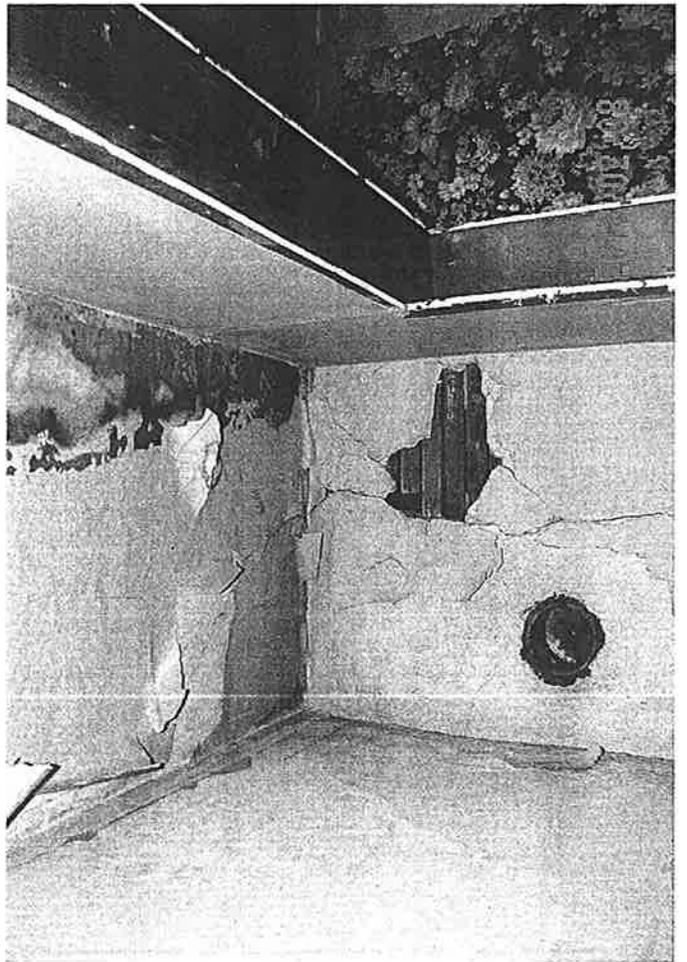
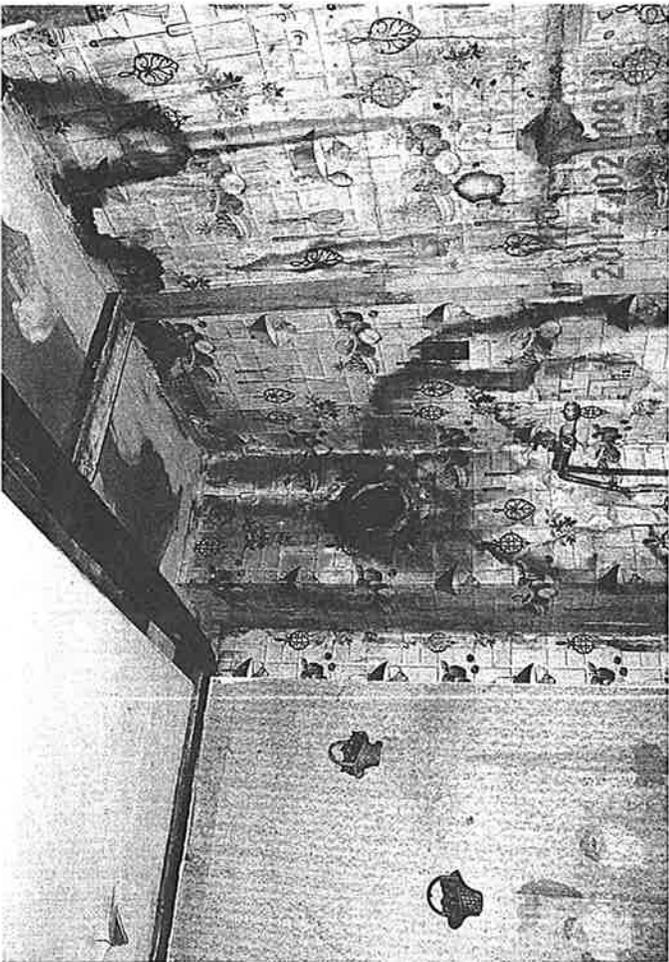
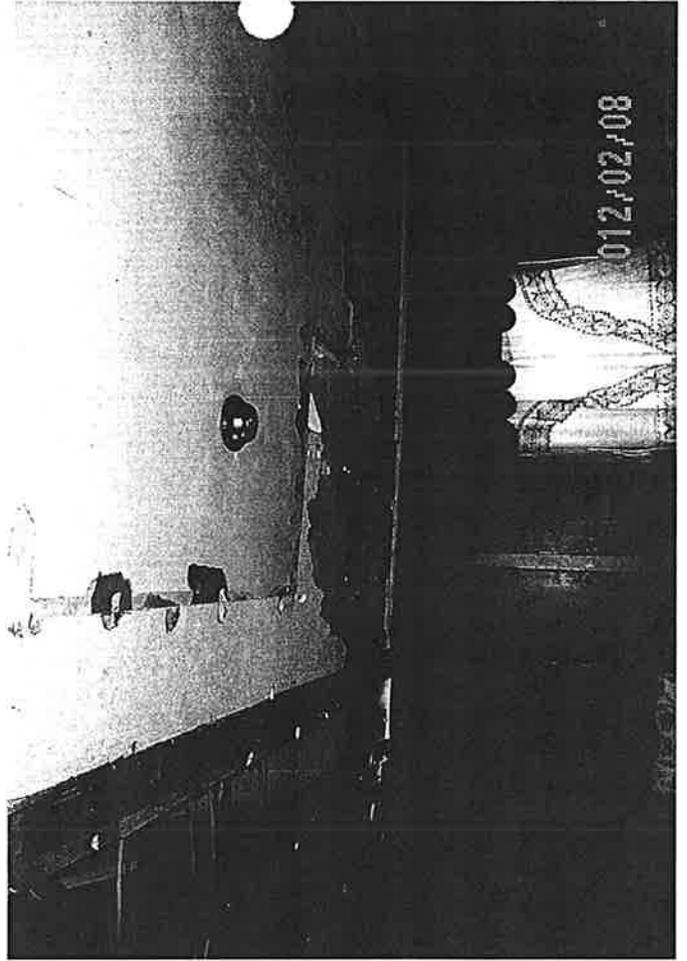
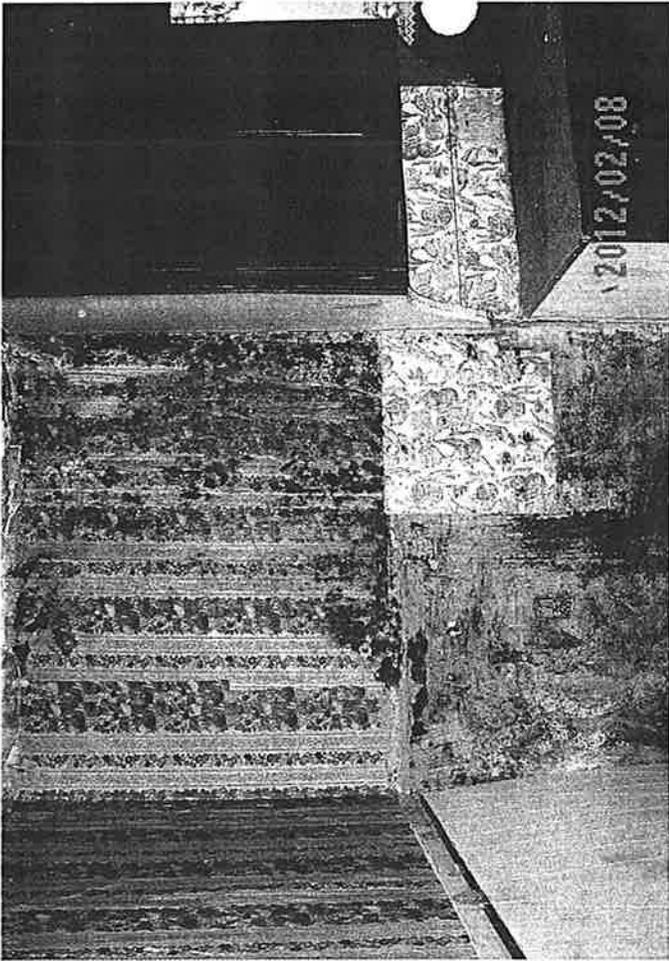
I, My name is Rick Ruhl. I am employed by the City of Fort Smith in the Neighborhood Services Division as Property Maintenance Supervisor. One of my duties requires me to make inspections of property and upon finding deficiencies make note of the deficiencies. I am authorized entry upon premises as set forth in the Property Maintenance Code of Fort Smith, Section 104.4 of said Code which states that the code official is authorized to enter the structure or premises at reasonable times to inspect and to conduct or cause to be conducted any investigation, search and seizure if necessary to determine if the code official is authorized to conduct the same. I am authorized to conduct an entry to inspect or cause to be conducted for the purpose of determining if the condition of the property complies with the Code. On July 27, 2010 my office received a complaint regarding the condition of the property located at 2104 N. 50th St. The roofing, roof pitch and back porch areas were in a deteriorated state of disrepair and had hail damage that had not been repaired. A case file was opened by Inspector Glenn Clark and copies were mailed to the owner. On November 4, 2010 I met with Mr. Dale Bray and learned that the owner of the property had been contacted by about two years. He stated that he was waiting for the Rooba and that he would start making the repairs. On March 16, 2011 I was looking for assistance in trying to reach a responsible party to affect repairs. One confirmed Mr. Dale Bray's claim and gave his wife's contact information at the time. I contacted Mr. Dale Bray on March 17th and combined once again to discuss the condition of the property. The next day, on March 18th I was contacted once again by Dale Bray asking for an additional 30 days to show progress by starting work on the roof as well as painting and repairing the porch area.

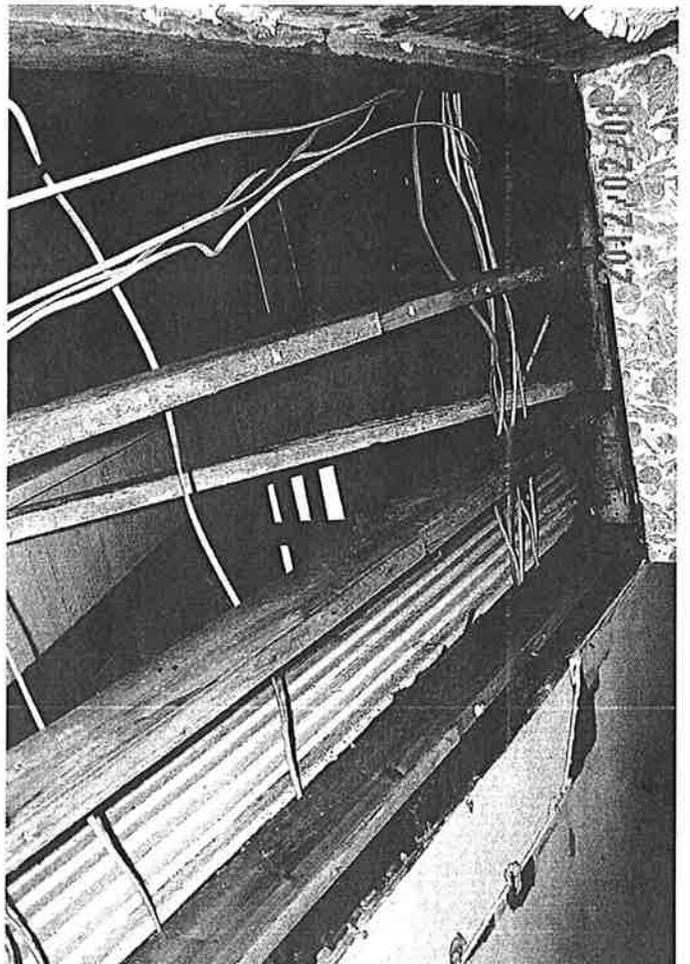
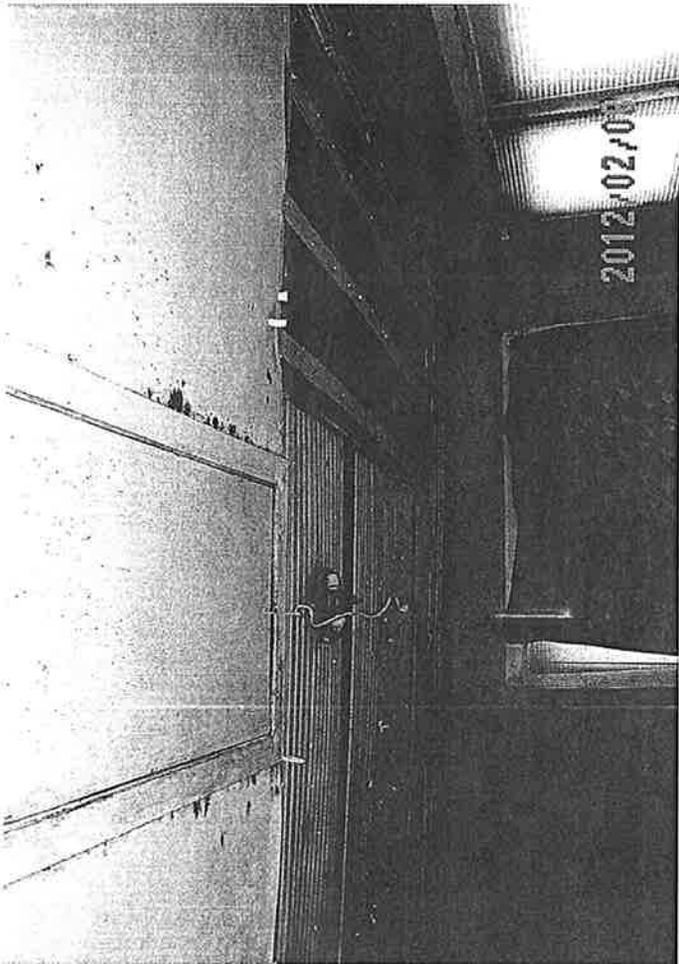
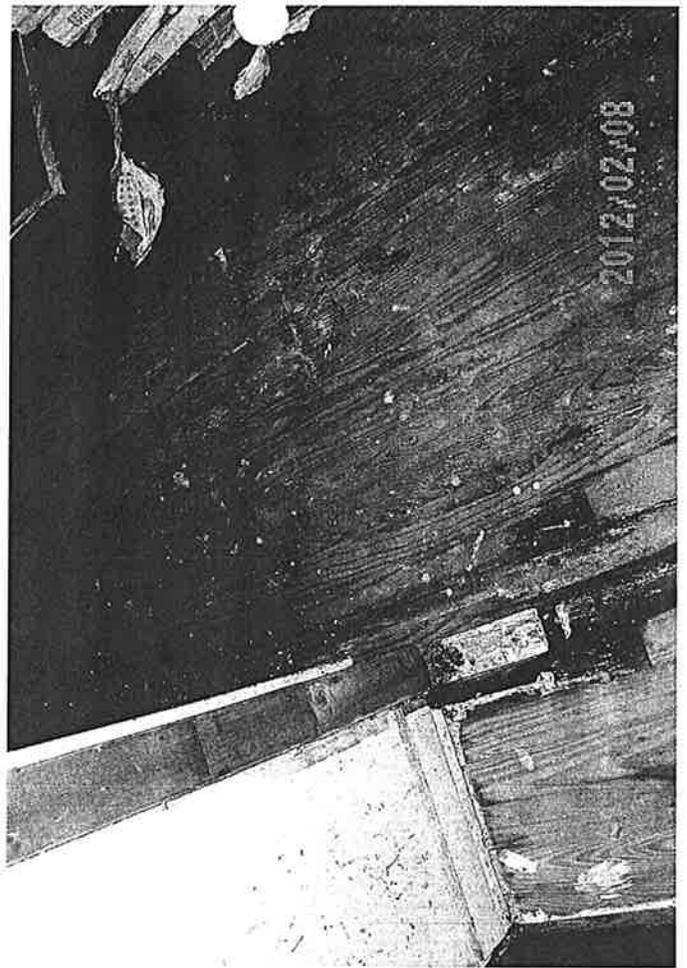
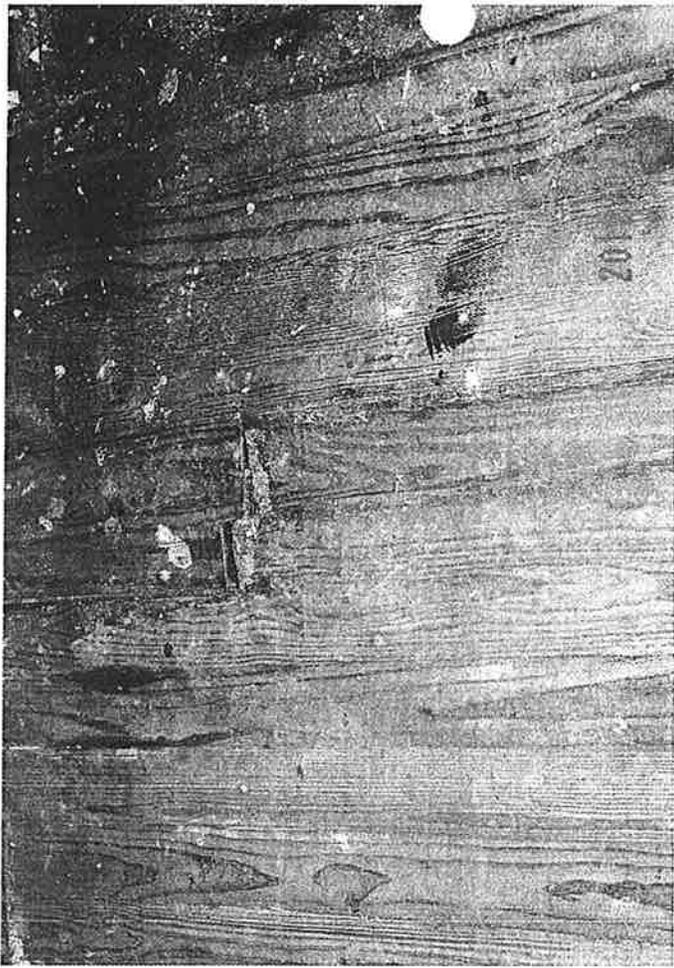
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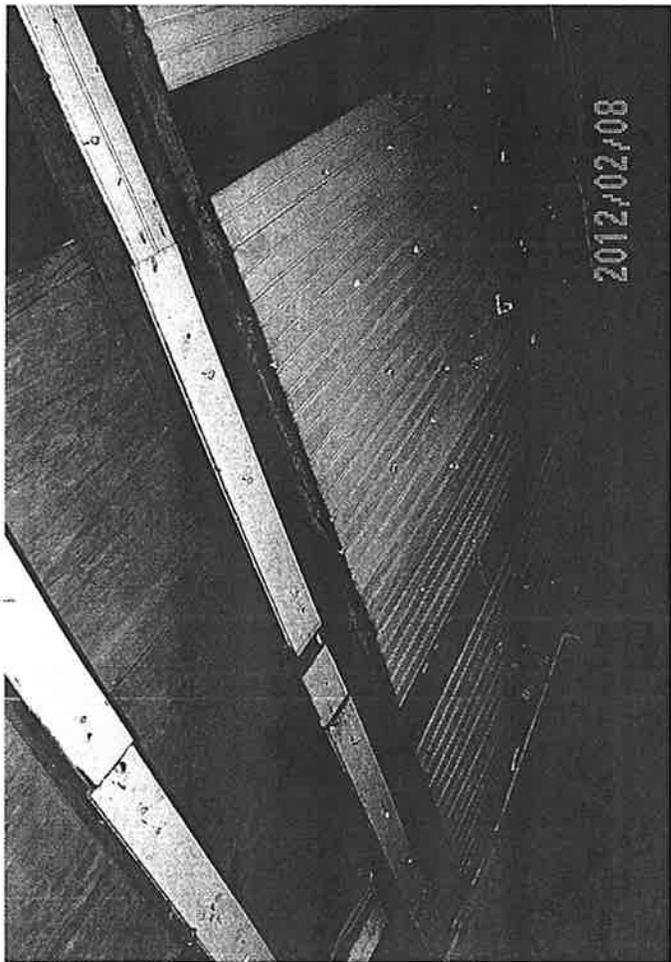
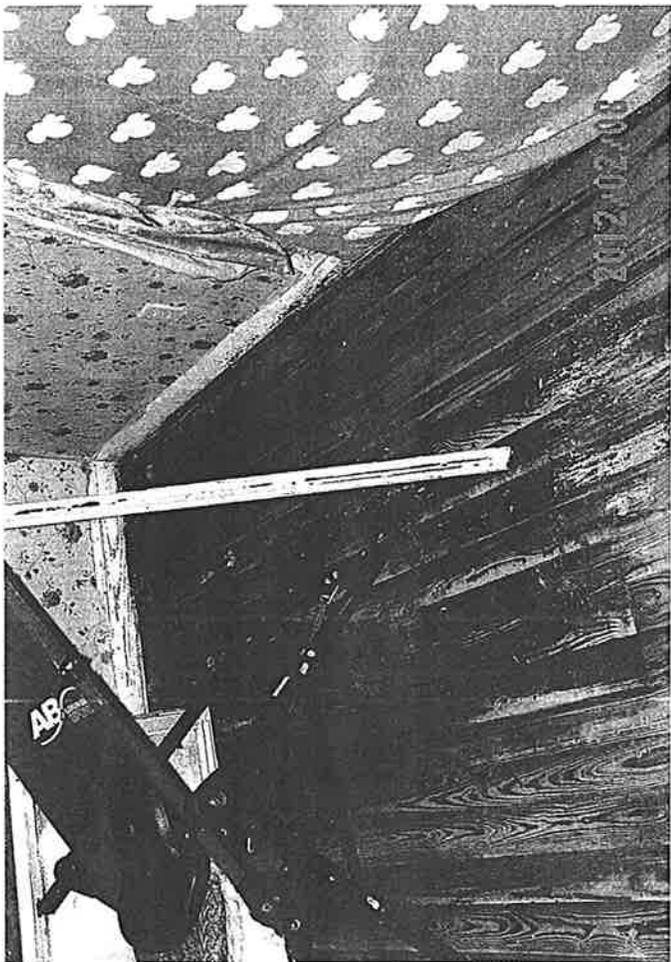
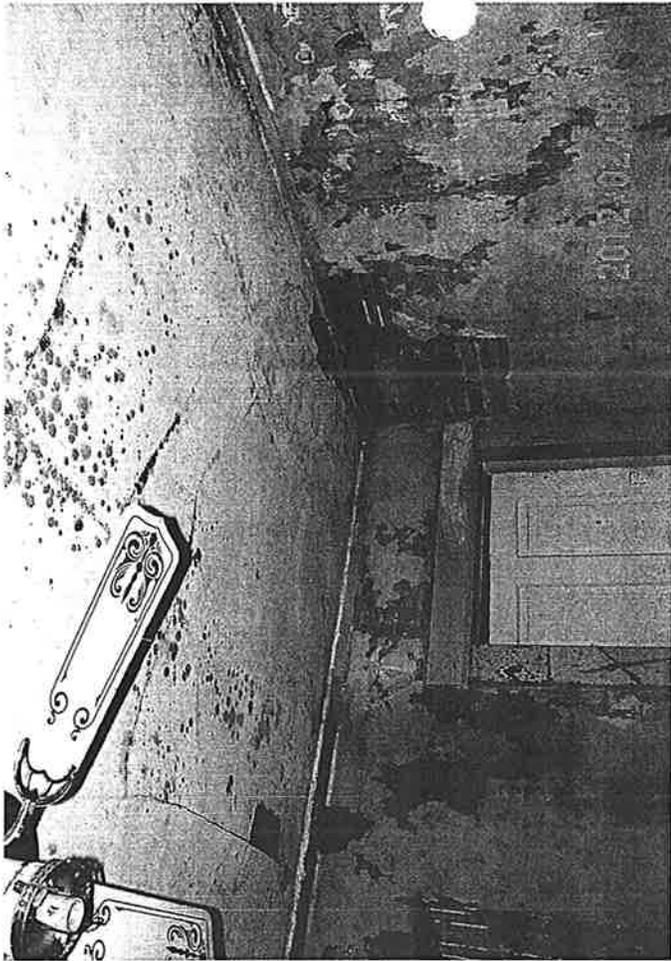


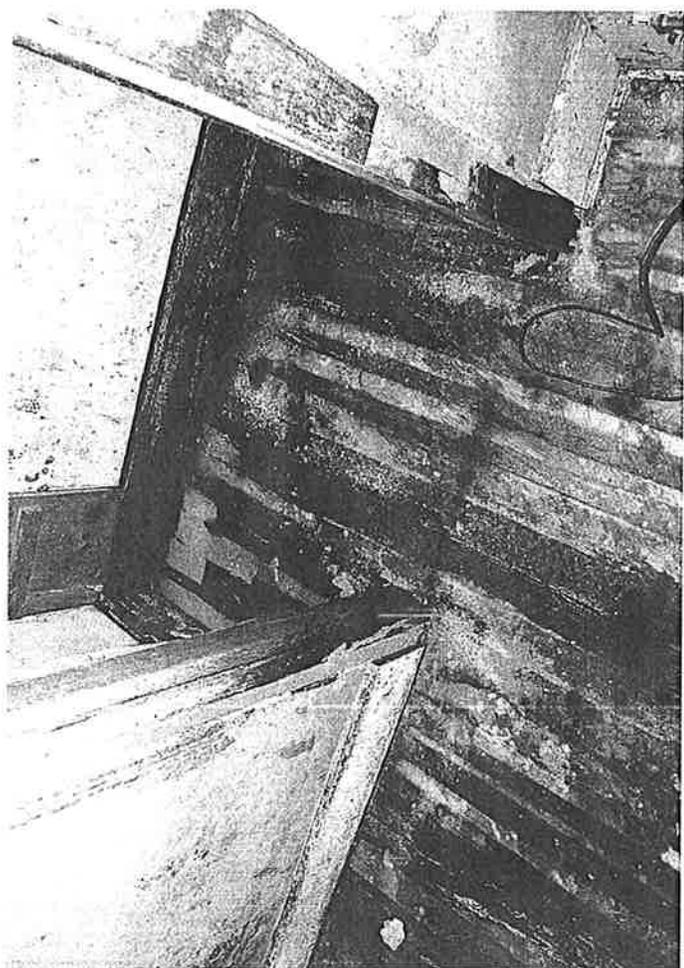
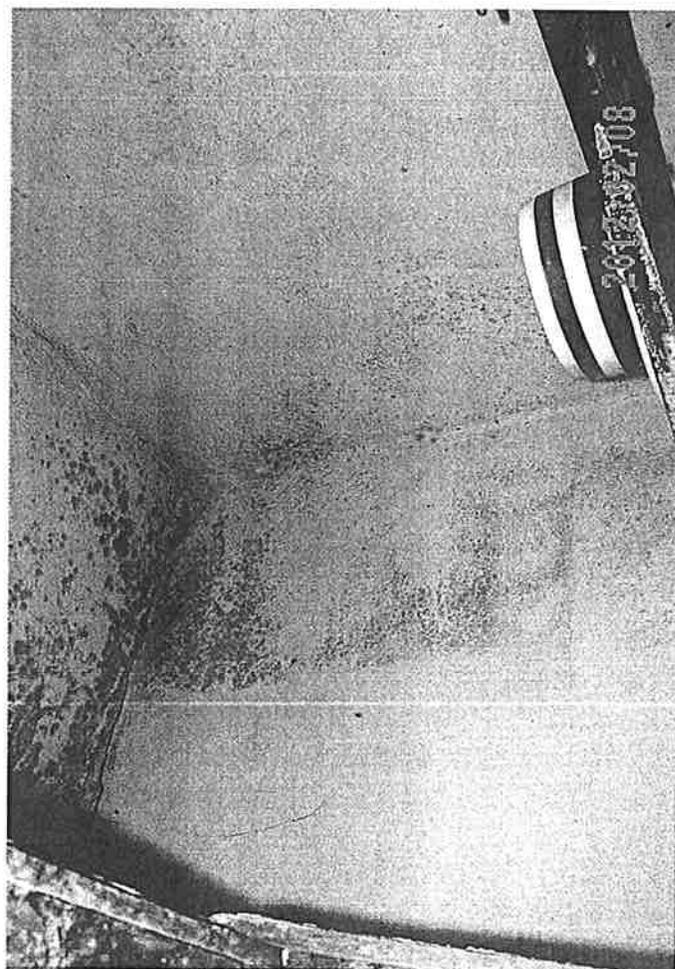
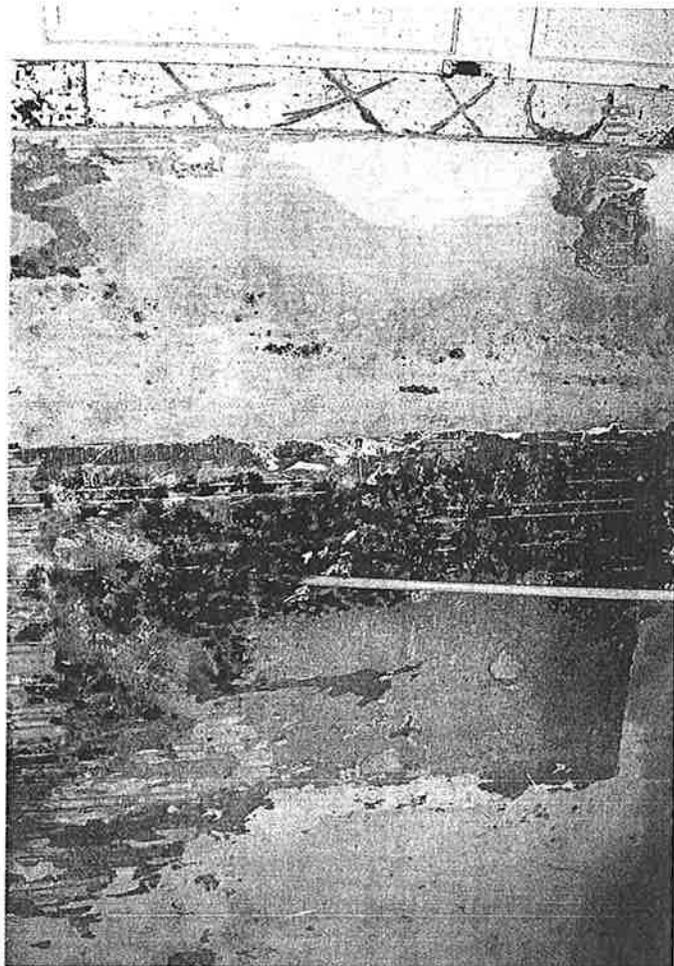


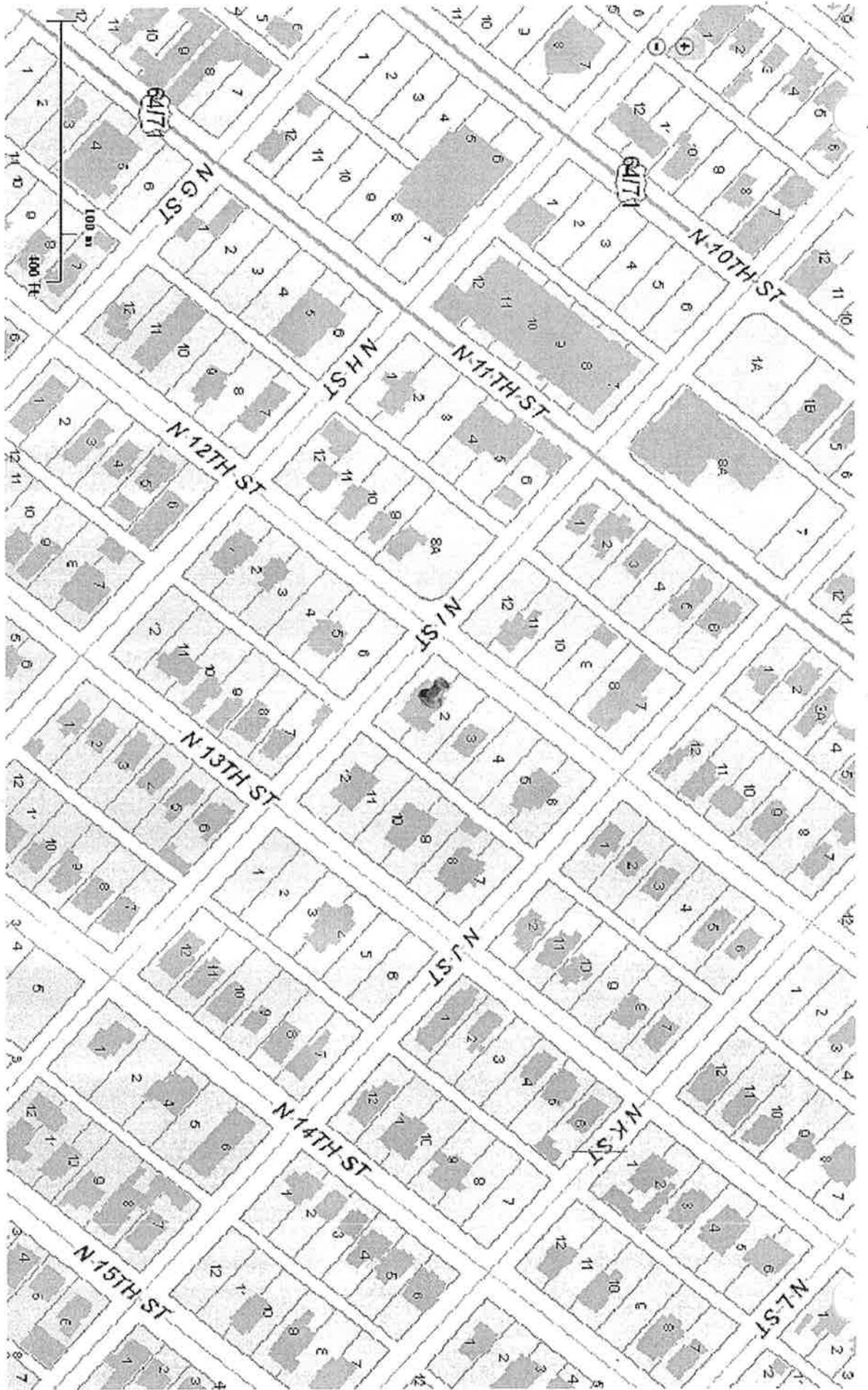






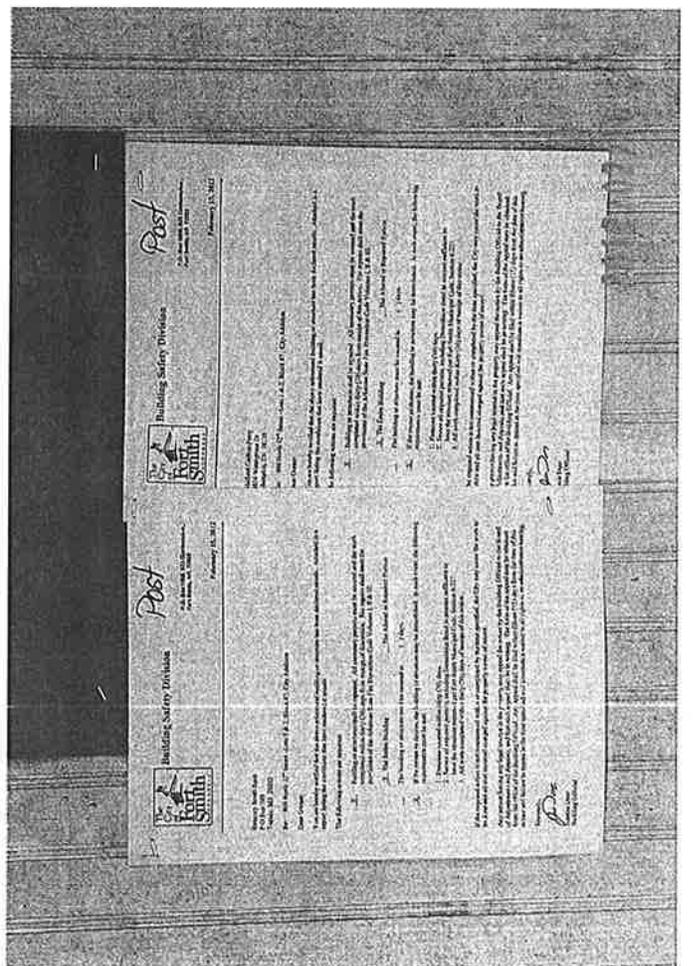
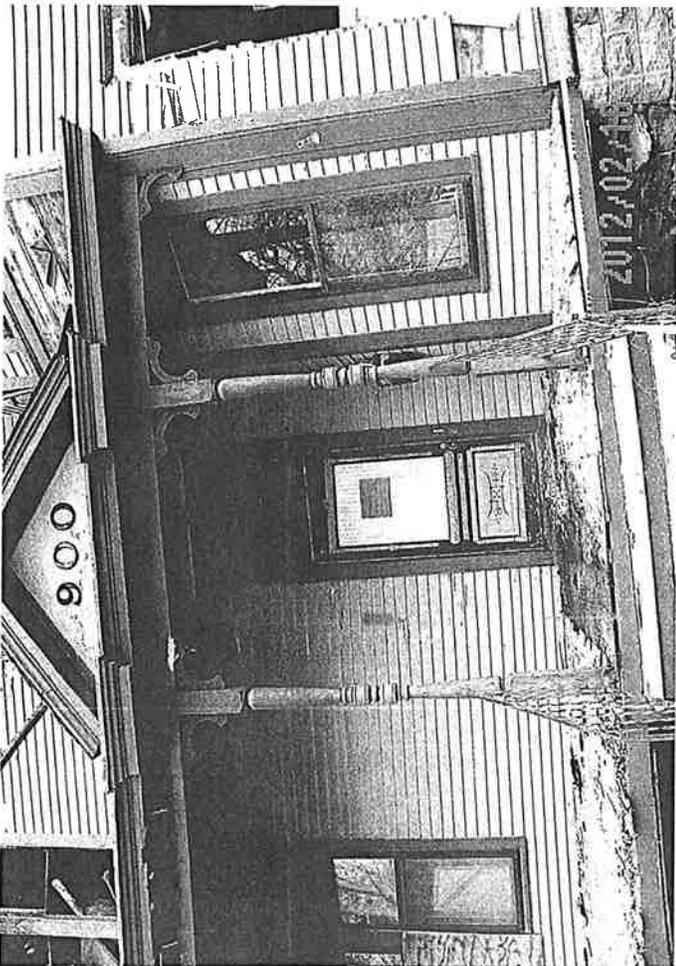
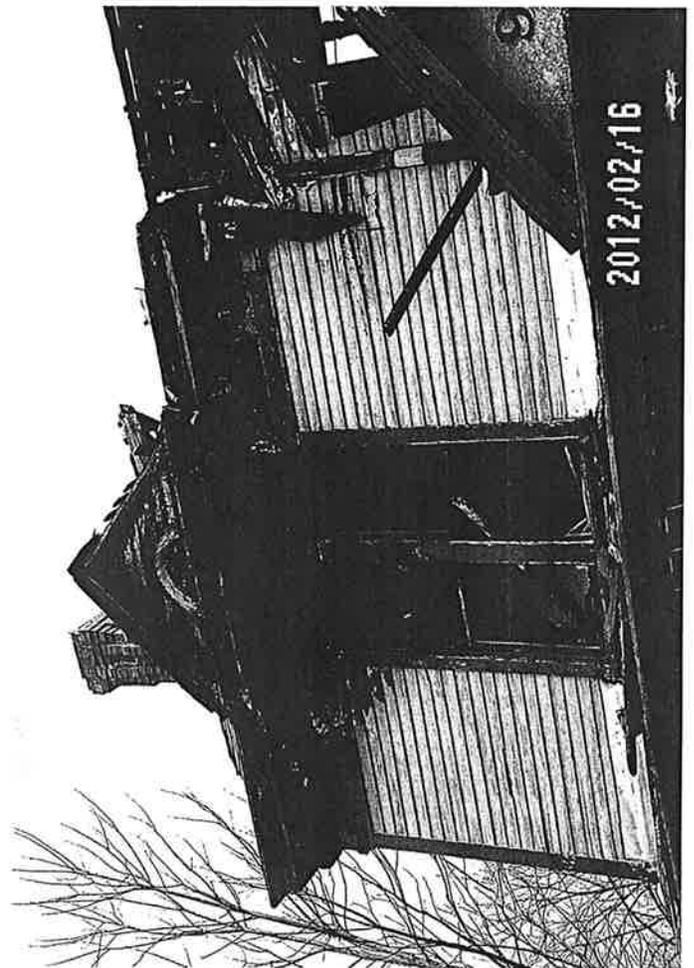


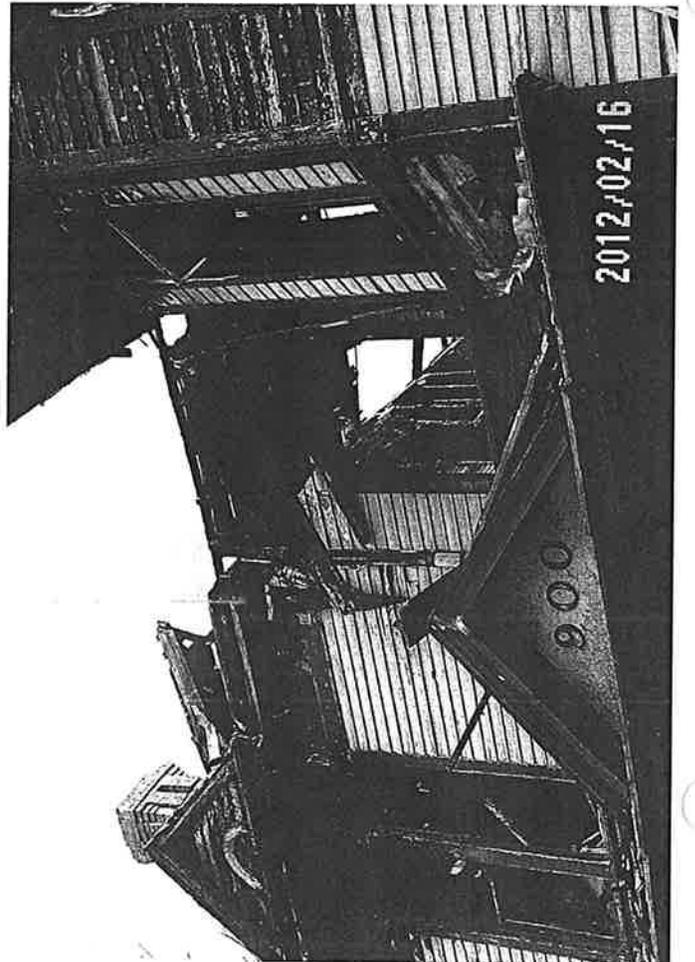
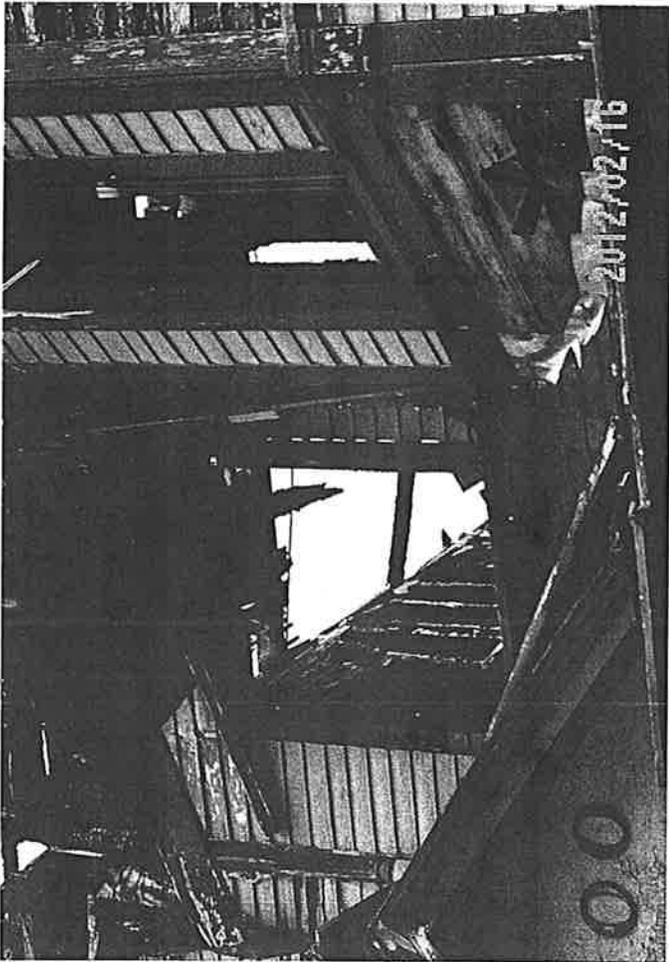
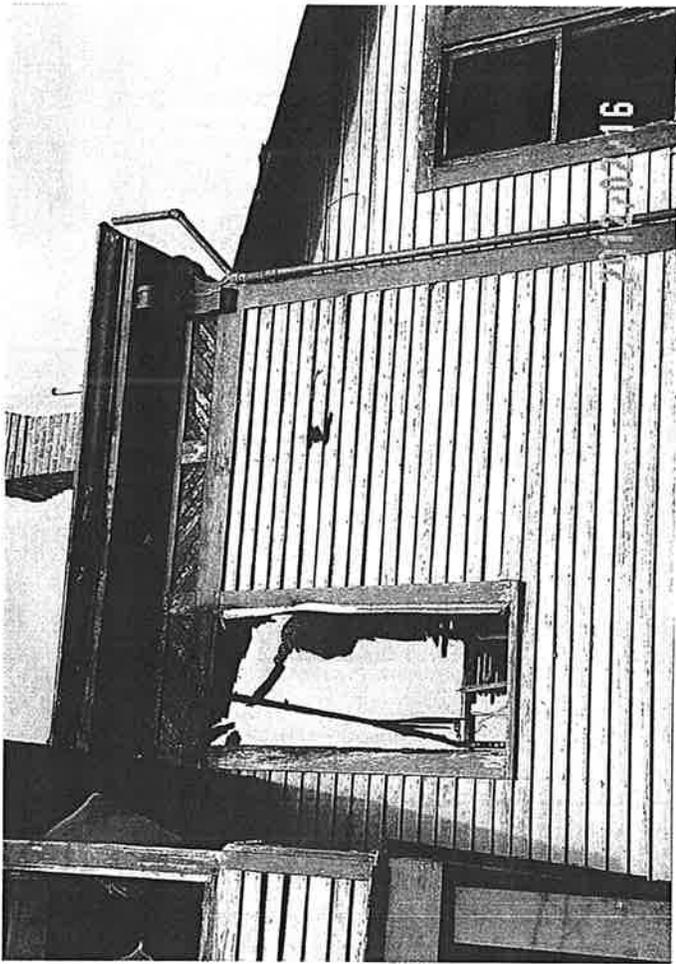




City of Fort Smith

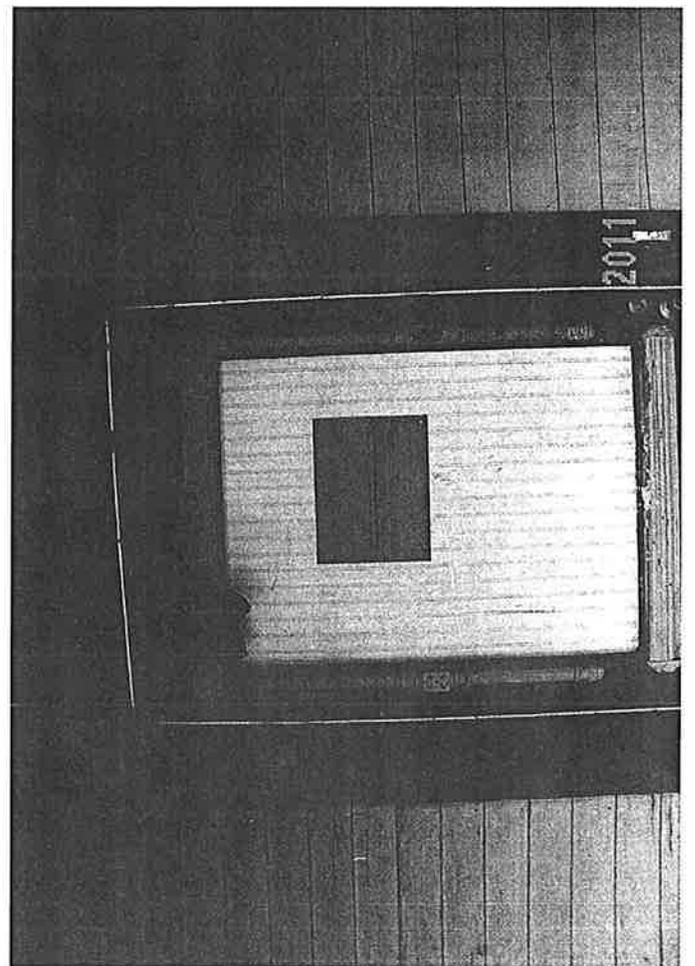
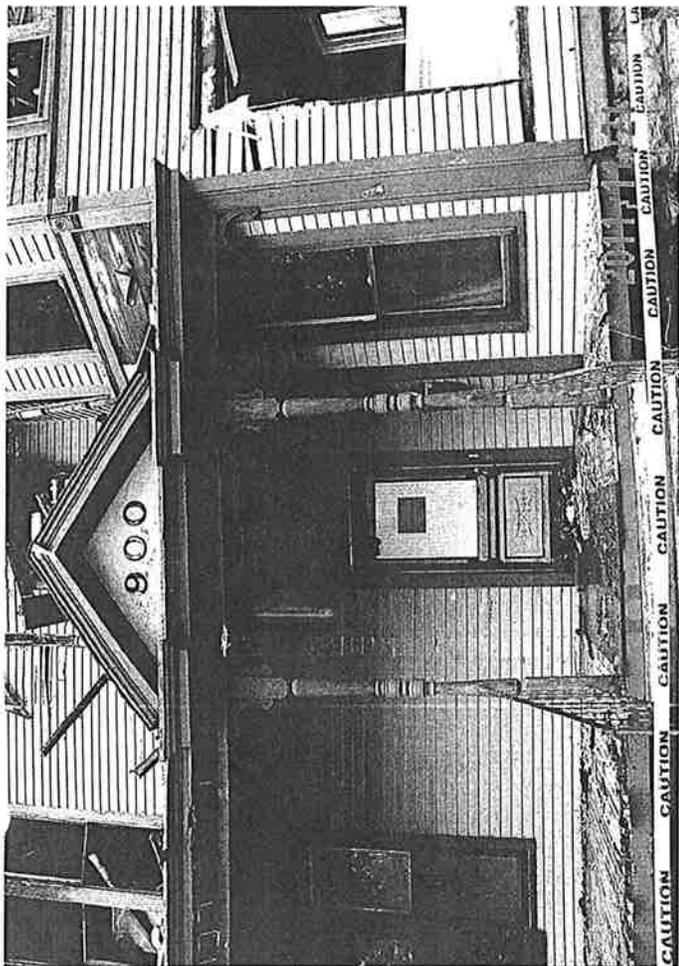
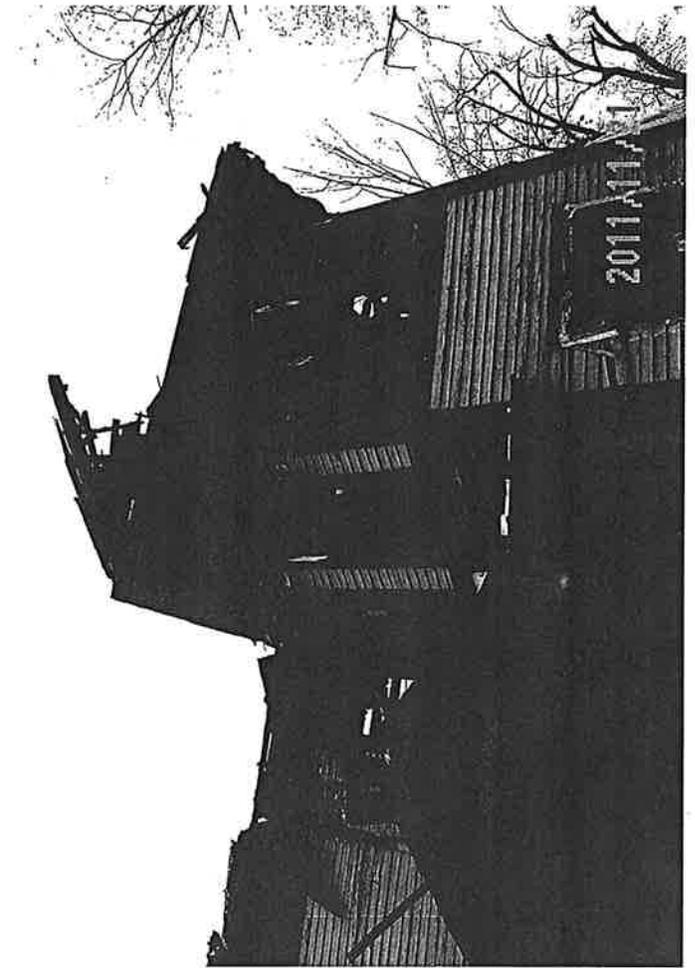
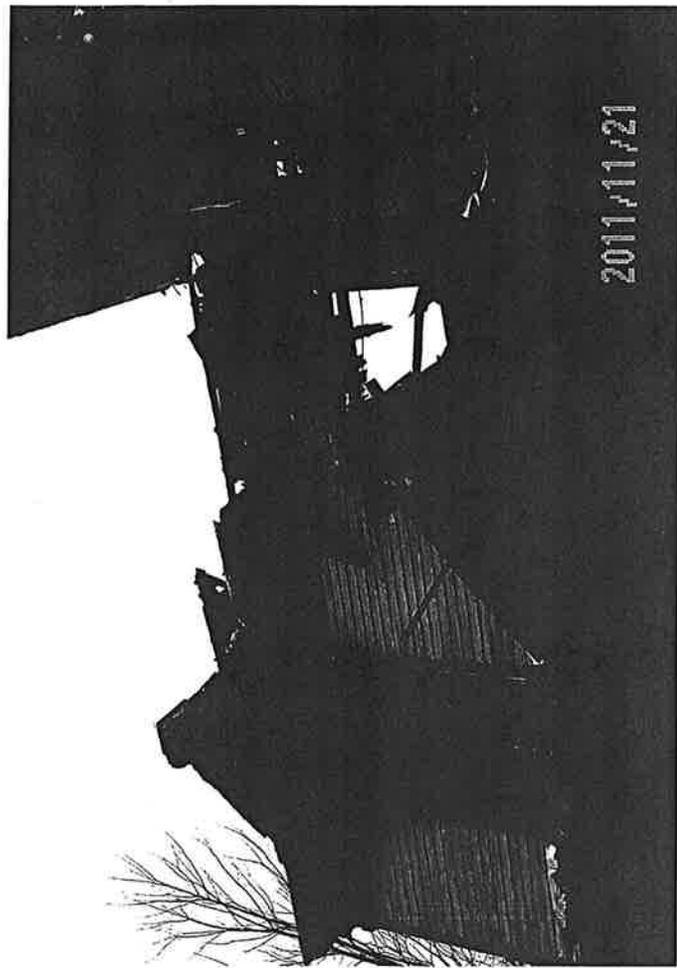
900 N. 12th Street

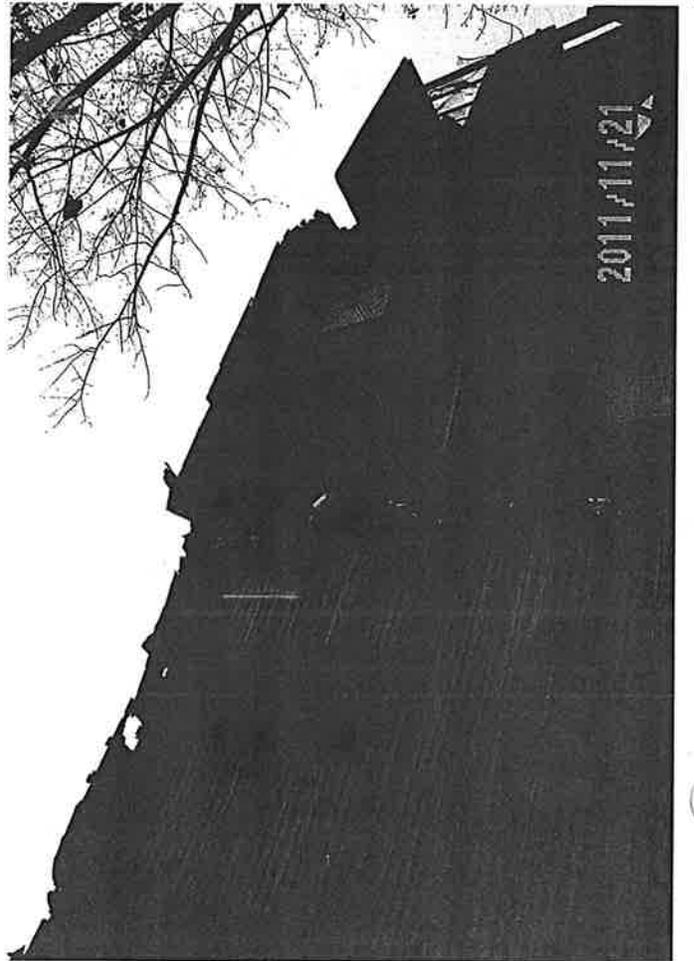
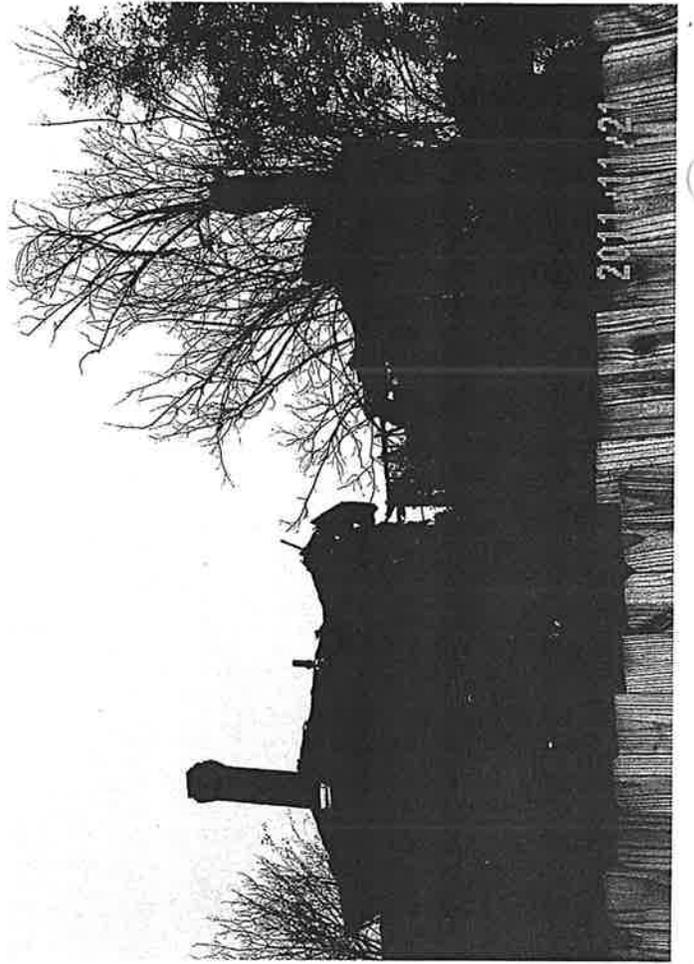


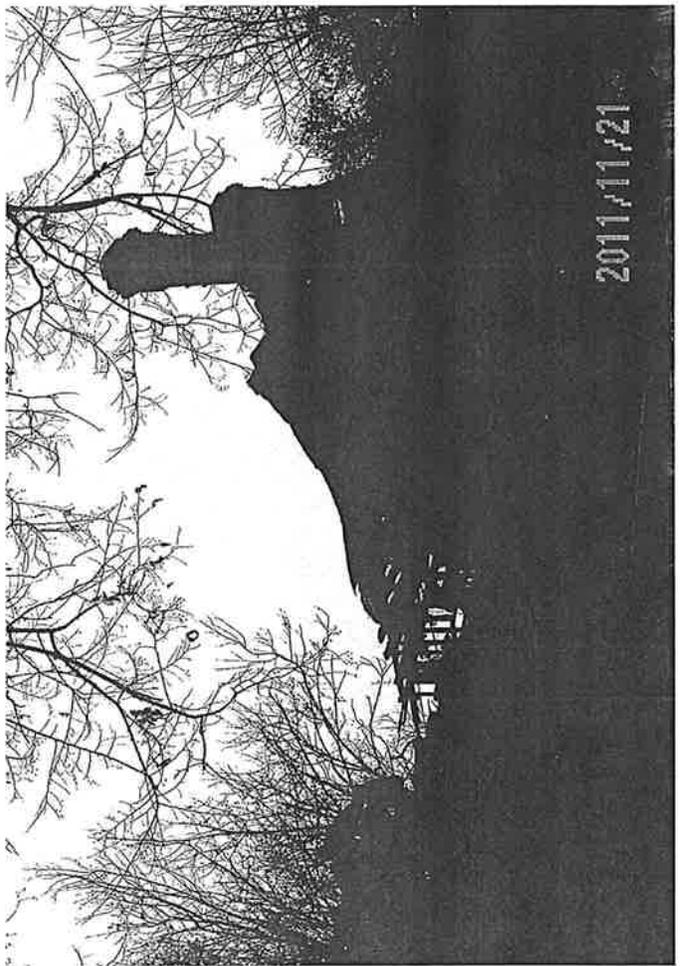
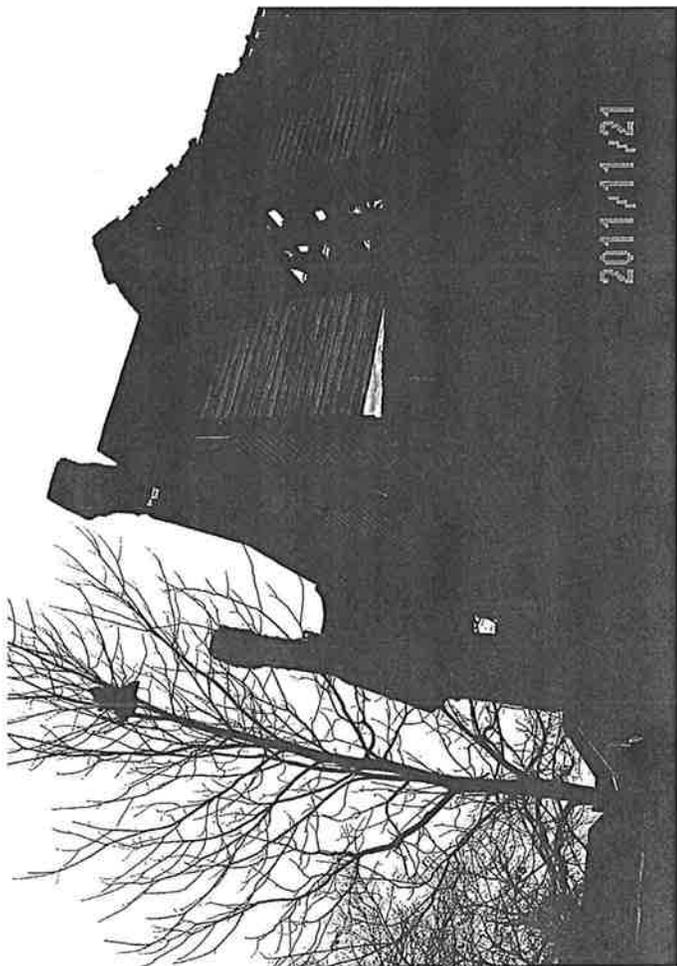
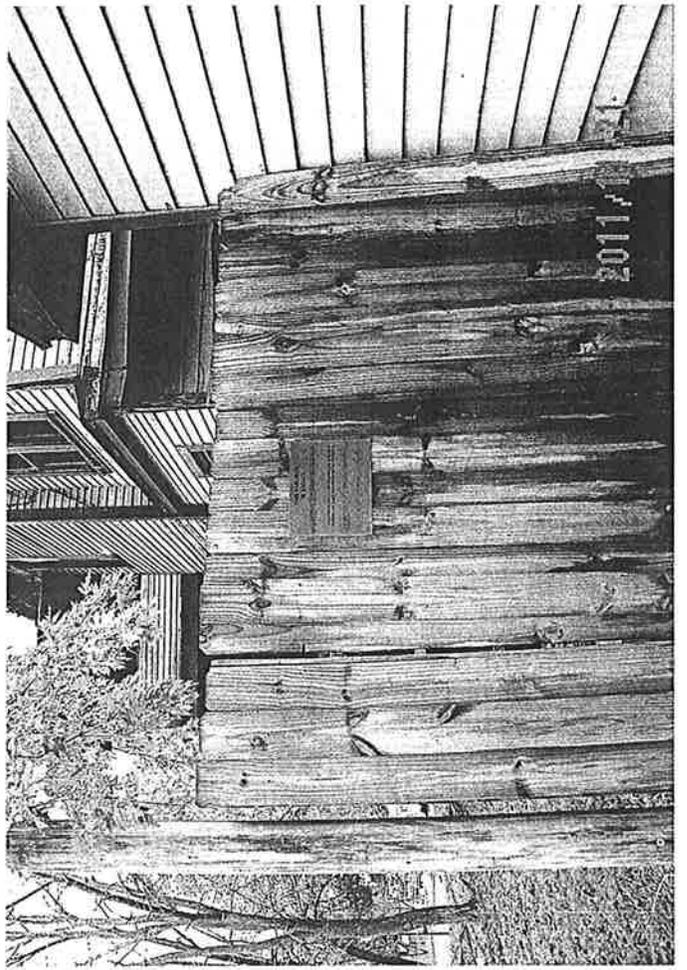












RESOLUTION _____

**A RESOLUTION TO ACCEPT THE BIDS AND AUTHORIZE
CONTRACT FOR THE CONSTRUCTION OF
DRAINAGE IMPROVEMENTS
PROJECT NO. 11-06-A**

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

SECTION 1: The bid of Crawford Construction Company, received March 27, 2012, for the construction of Drainage Improvements, Project No. 11-06-A, in the amount of \$1,099,485.30 be accepted.

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

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

This resolution adopted this _____ day of April, 2012.

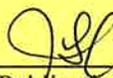
APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to Form



 No Publication Required
 Publish ____ Times

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator
FROM: Stan Snodgrass, P.E., Director of Engineering *SS*
DATE: March 29, 2012
SUBJECT: Drainage Improvements
Project No. 11-06-A

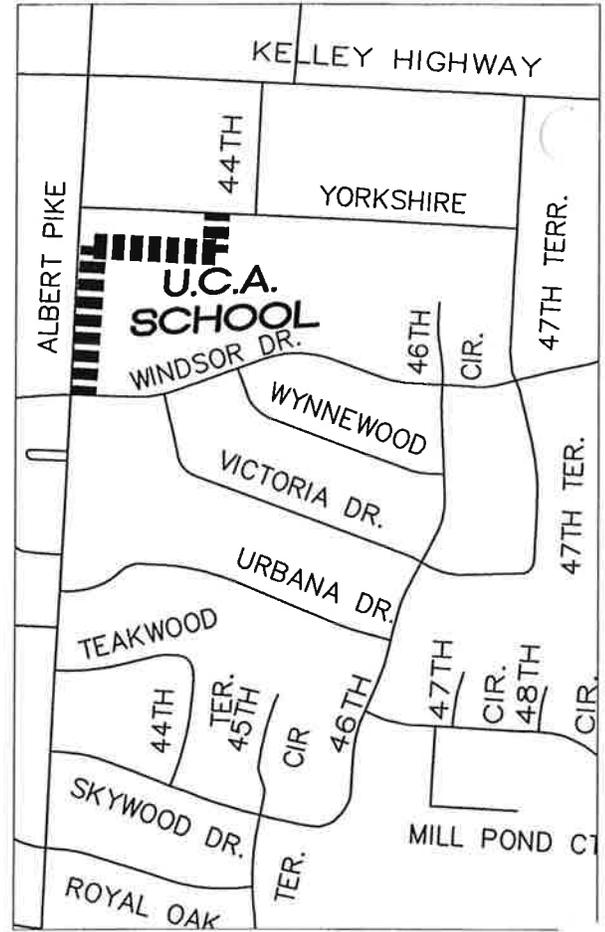
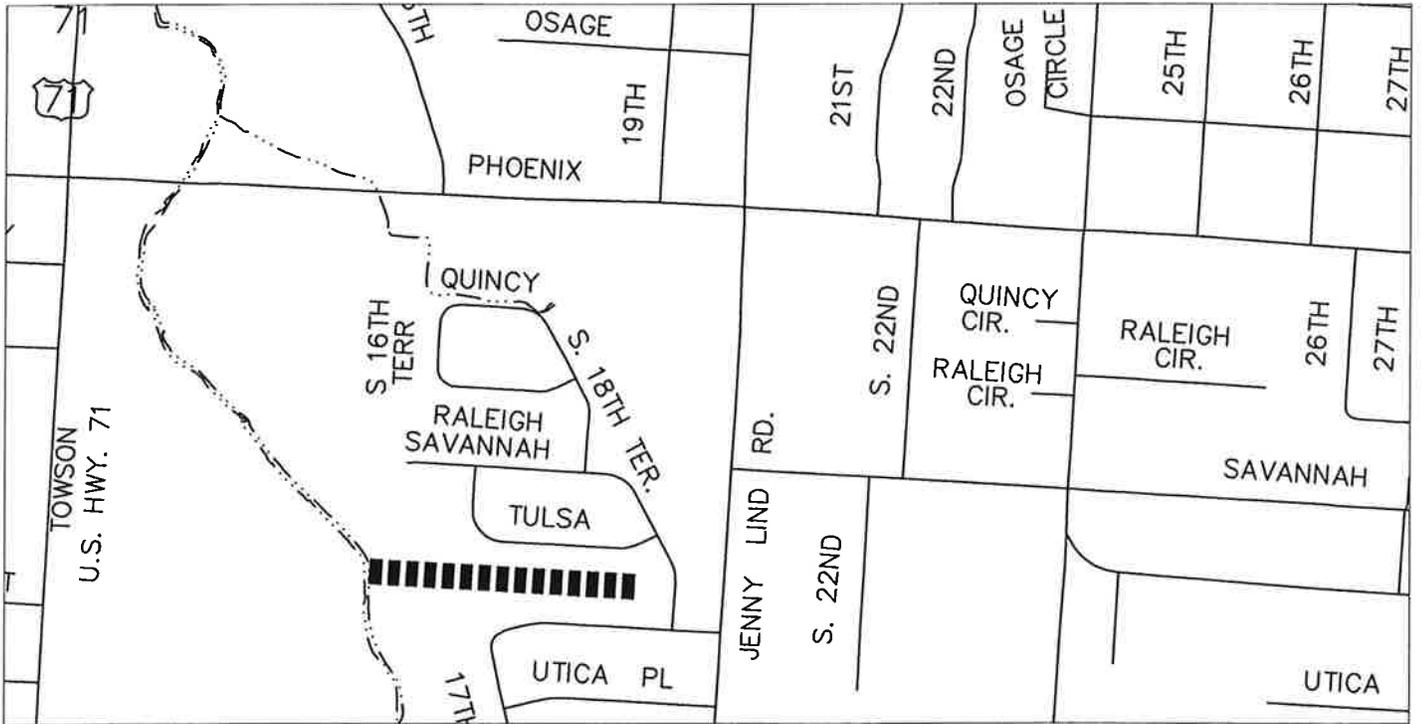
This project consists of drainage improvements in five locations to reduce residential and school flooding and channel erosion. The project was approved by the Board of Directors as part of the 2011 Capital Improvements Program. The locations of the proposed improvements are shown on the attached exhibit.

Construction plans and specifications were prepared by Philip Leraris, P.E., LS, of Fort Smith, Arkansas. An advertisement was published and bids were received on March 27, 2012. Fourteen contractors requested plans and specifications and seven bids were received which are summarized as follows:

CONTRACTOR	AMOUNT	CONTRACTOR	AMOUNT
1. Crawford Construction Van Buren, AR	\$1,099,485.30	5. Steve Beam Constr. Fort Smith, AR	\$1,495,695.53
2. T-N-T, Inc. Van Buren, AR	\$1,148,095.00	6. Goodwin & Goodwin Fort Smith, AR	\$1,584,325.00
3. Brothers Construction Van Buren, AR	\$1,374,177.00	7. Township Builders, Inc. Little Rock, AR	\$1,591,901.00
4. Forsgren, Inc. Fort Smith, AR	\$1,386,122.75	<i>Engineer's Estimate</i>	<i>\$1,300,000.00</i>

I recommend that the lowest bid be accepted and that the construction contract be awarded to Crawford Construction Company. The estimated notice to proceed date for this contract is April 30, 2012. Based on the contract duration of 340 days, the estimated completion date would be April 4, 2013.

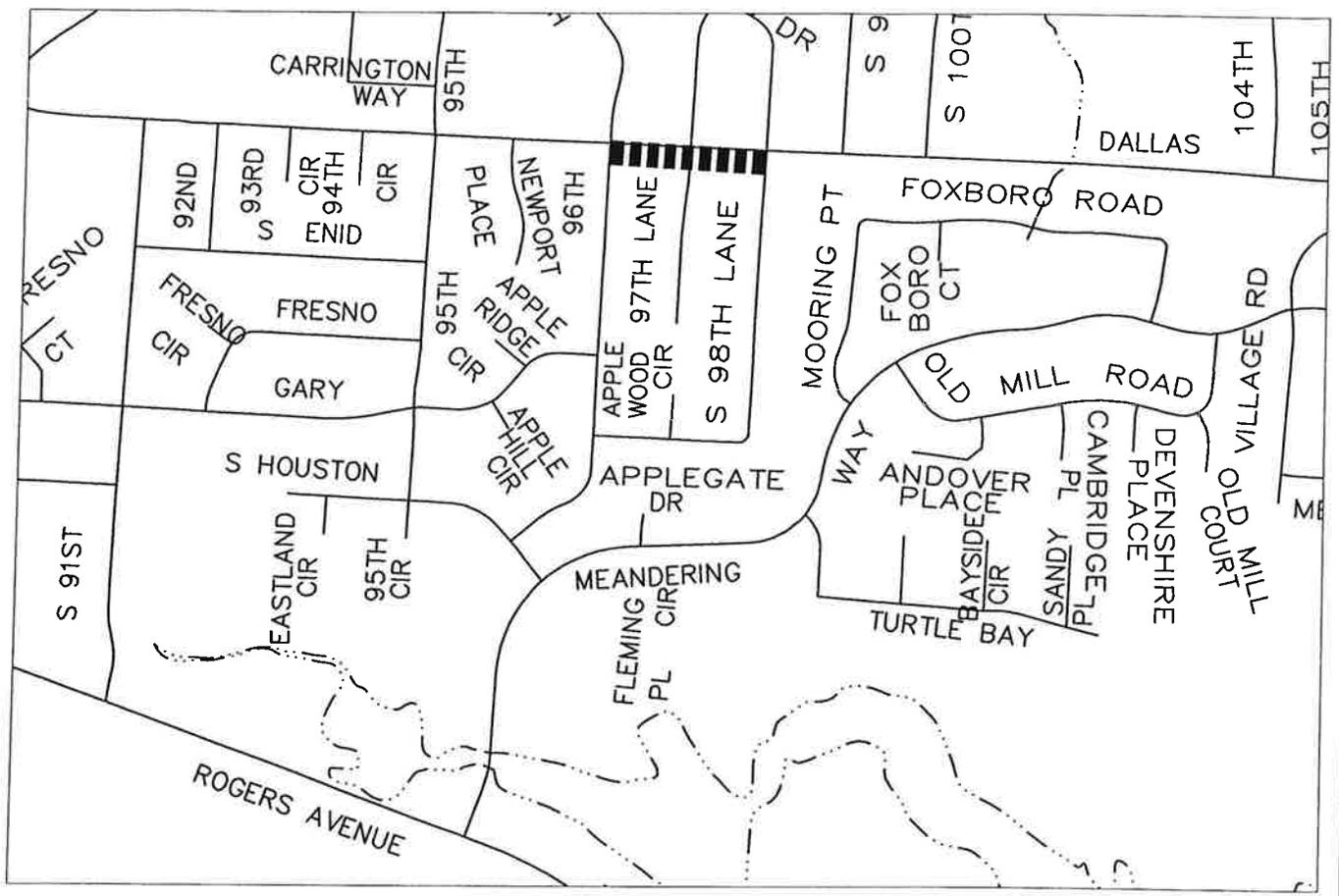
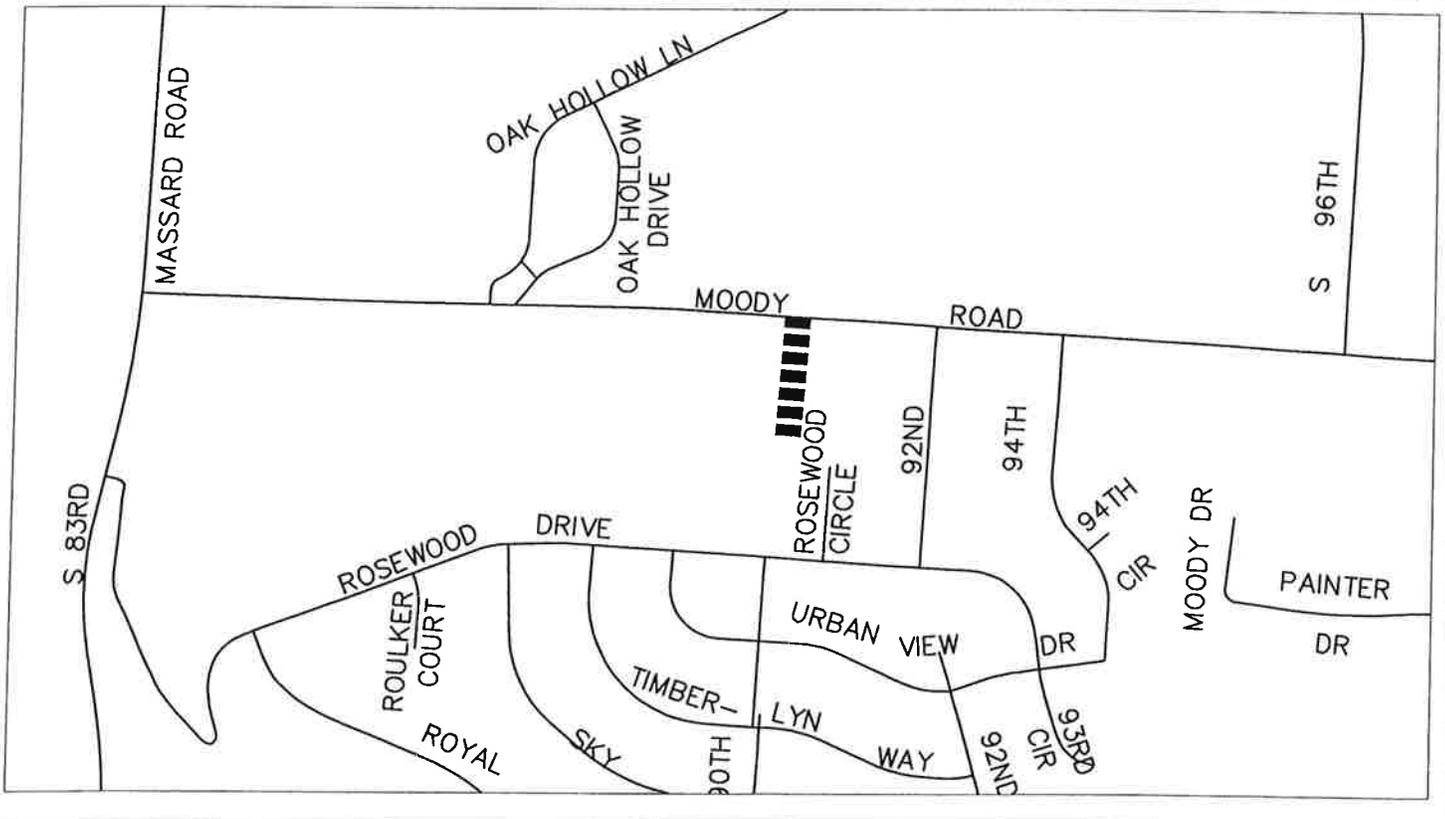
Attached is a Resolution to accomplish the above recommendation. Funds are available in the Sales Tax Program (1105).



2011 CAPITAL IMPROVEMENTS PROGRAM
DRAINAGE IMPROVEMENTS



Project: 11-06-A
Date: MARCH 2012
Scale: NONE
Drawn By: RBR



2011 CAPITAL IMPROVEMENTS PROGRAM
DRAINAGE IMPROVEMENTS



Project:	11-06-A
Date:	OCT. 2010
Scale:	NONE
Drawn By:	RBR

RESOLUTION _____

**A RESOLUTION TO ACCEPT THE BIDS AND AUTHORIZE
CONTRACT FOR THE CONSTRUCTION OF
FORT SMITH LEVEE IMPROVEMENTS
PROJECT NO. 11-06-D**

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

SECTION 1: The bid of Crawford Construction Company, received March 27, 2012, for the construction of Fort Smith Levee Improvements, Project No. 11-06-D, in the amount of \$1,843,470.50 be accepted.

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

SECTION 3: The bid of Ark-Con Testing, received March 27, 2012, for quality control testing services for the construction of Fort Smith Levee Improvements, Project No. 11-06-D, in the amount of \$950.00 be accepted.

SECTION 4: Payment for construction and testing authorized by Sections 1 and 3 is hereby authorized from the Sales Tax Fund (1105).

This resolution adopted this _____ day of April, 2012.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to Form

JS

No Publication Required

Publish _____ Times

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

FROM: Stan Snodgrass, P.E., Director of Engineering *SS*

DATE: March 29, 2012

SUBJECT: Fort Smith Levee Improvements
Project No. 11-06-D

This project includes items associated with the Fort Smith levee certification evaluation in accordance with federal design criteria. The work includes rehabilitation of the concrete levee floodwall including crack repairs, spalling repair, joint sealing, new floodwall construction, and installation of a protective coating. The project also includes construction of stoplog closures at North E, H & P Streets, storm sewer pipe repairs and new storm sewer outfall pipe construction. The project was approved by the Board of Directors as part of the 2012 Capital Improvements Program. The project is located along Riverfront Drive between North A Street and North P Street as shown on the attached exhibit.

Construction plans and specifications were prepared by Mickle-Wagner-Coleman, Inc., of Fort Smith, Arkansas. An advertisement was published and bids were received on March 27, 2012. Fifteen contractors requested plans and specifications and six bids were received which are summarized as follows:

CONTRACTOR	AMOUNT	CONTRACTOR	AMOUNT
1. Crawford Construction Van Buren, AR	\$1,843,470.50	4. T-N-T, Inc. Van Buren, AR	\$2,188,474.45
2. Mobley Contractors, Inc. Morrilton, AR	\$1,992,159.55	5. Goodwin & Goodwin Fort Smith, AR	\$2,251,861.00
3. Forsgren, Inc. Fort Smith, AR	\$2,187,490.10	6. Steve Beam Constr. Fort Smith, AR	\$2,903,703.83
Engineer's Estimate		\$2,076,795.00	

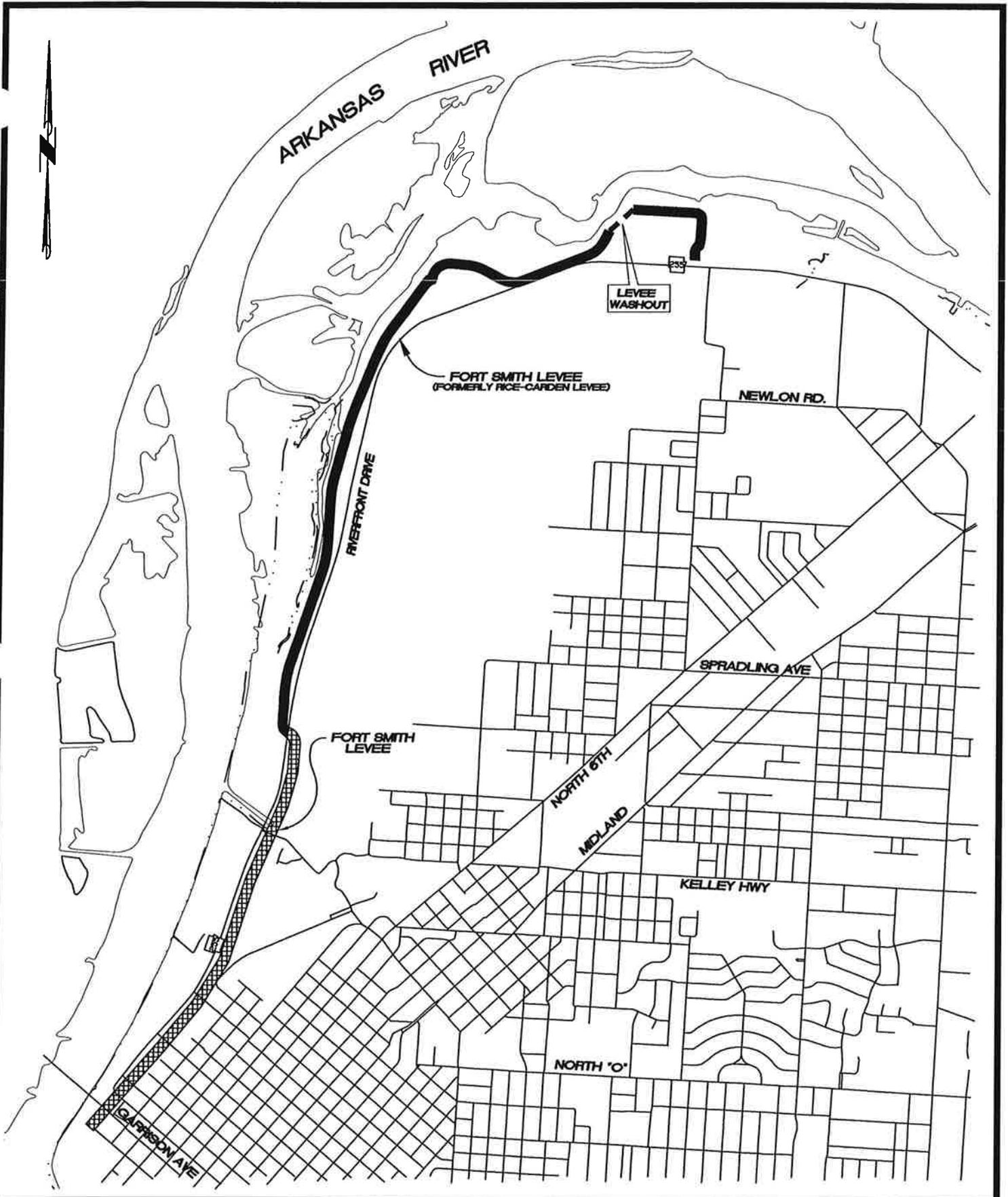
I recommend that the lowest bid be accepted and that the construction contract be awarded to Crawford Construction Company. The estimated notice to proceed date for this contract is April 30, 2012. Based on the contract duration of 270 days, the estimated completion date would be January 24, 2013.

Ray Gosack, City Administrator
March 29, 2012
Page 2

Two bids were also received on March 27, 2012, for project quality assurance testing. They are summarized as follows:

<u>TESTING FIRM</u>	<u>AMOUNT</u>
Ark-Con Testing Van Buren, AR	\$950.00
Data Testing, Inc. Fort Smith, AR	\$2,370.00

I recommend that the quality assurance testing contract be awarded to Ark-Con Testing, in the amount of \$950.00. Attached is a Resolution to accomplish the above two recommendations. Funds are available in the Sales Tax Program (1105) for the construction and testing.



2012 CAPITAL IMPROVEMENTS PROGRAM
 LEVEE CERTIFICATION & REPAIR
 FORT SMITH, ARKANSAS



Project:	
Date:	MARCH 2012
Scale:	NONE
Drawn By:	RBR

RESOLUTION NO. _____

RESOLUTION AUTHORIZING CHANGE ORDER NUMBER ONE WITH VEI GENERAL CONTRACTORS, INC., FOR THE "P" STREET WASTEWATER TREATMENT PLANT WET WEATHER IMPROVEMENTS RAS PUMP STATION NUMBER 2 AND SLUDGE STORAGE TANK REHABILITATION

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

Change Order Number One in the amount of \$2,358.00 to the contract with VEI General Contractors, Inc., for the construction of the "P" Street Wastewater Treatment Plant Wet Weather Improvements RAS Pump Station Number 2 and Sludge Storage Tank Rehabilitation, Project Number 05-14-C4, and adjusting the contract amount to \$466,936.00, is hereby approved.

This Resolution adopted this _____ day of April 2012.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

 _____ npr

RESOLUTION NO. _____

RESOLUTION ACCEPTING THE PROJECT AS COMPLETE AND AUTHORIZING FINAL PAYMENT TO VEI GENERAL CONTRACTORS, INC., FOR "P" STREET WASTEWATER TREATMENT PLANT WET WEATHER IMPROVEMENTS RAS PUMP STATION NUMBER 2 AND SLUDGE STORAGE TANK REHABILITATION

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

SECTION 1: The construction of "P" Street Wastewater Treatment Plant Wet Weather Improvements RAS Pump Station Number 2 and Sludge Storage Tank Rehabilitation, Project Number 05-14-C4, is accepted as complete.

SECTION 2: Final payment VEI General Contractors, Inc., in the amount of \$120,586.90, is hereby approved.

This Resolution adopted this _____ day of April 2012.

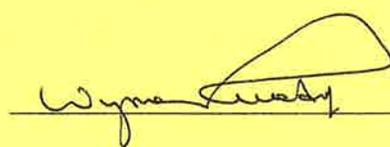
APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

_____
npr

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

DATE: March 15, 2012

FROM: Steve Parke, Director of Utilities



SUBJECT: P Street WWTP Wet Weather Improvements
RAS Pump Station Number 2 and Sludge Storage Tank Rehabilitation
Project Number 05-14-C4

This project consisted of resurfacing the walls of the return activated sludge pump station number 2 and walls and floor of the sludge storage tank located at the solids handling building at "P" Street wastewater treatment plant. The existing coating systems have failed and must be renewed to prevent corrosion of the concrete structures. The attach exhibit shows the location of the project.

During construction, the contractor removed two ladders in the return activated sludge pump station and also had to remove an elastomeric joint compound in the sludge storage tank that was interfering with the coating project. Attached is a Resolution authorizing Change Order One in the amount to \$2,358.00, adjusting the final contract amount to \$466,936.00. It is my recommendation that the Resolution be approved.

VEI General Contractors, Inc., has completed the project, and attached is a Resolution accepting the project as complete and authorizing final payment in the amount of \$120,586.00. It is my recommendation that the project be accepted as complete.

Should you or members of the Board have any questions or desire additional information, please let me know.

attachment

pc: Jeff Dingman

Project Summary

Project status: Complete

Project name: "P" Street WWTP Wet Weather
Improvements RAS Pump Station Number 2
and Sludge Storage Tank Rehabilitation

Today's date: March 15, 2012

Project number: **05-14-C4**

Staff contact name: Steve Parke

Project engineer: Hawkins Weir Engineers, Inc.

Staff contact phone: 784-2231

Project contractor: VEI General Contractors, Inc.

Notice to proceed issued: November 14, 2011

Completion date: March 13, 2011

	Dollar Amount	Contract Time (Days)
Original contract	\$464,578.00	120
Change orders:		
Number One	\$2,358.00	0
Total change orders	\$2,358.00	<u>0</u>
Adjusted contract	<u>\$466,936.00</u>	<u>120</u>
Payments to date (as negative):	\$-346,349.10	74.2%
Amount of this payment (as negative)	\$-120,586.90	25.8%
Retainage held	\$0.00	
Contract balance remaining	\$0.00	0.0%
Amount Over (under)- as a percentage	0.5%	

Final comments:

RESOLUTION NO. _____

RESOLUTION AUTHORIZING ACQUISITION OF REAL PROPERTY INTERESTS FOR
THE HIGHWAY 71 INTERCHANGE 12-INCH WATER LINE RELOCATION

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

The City Administrator and the City Attorney are hereby authorized to acquire by the exercise of the City's power of eminent domain, if necessary, a water utility easement on the following property for the Highway 71 Interchange 12-Inch Water Line Relocation, Project Number 11-11-E1:

<u>Tract No.</u>	<u>Owner</u>	<u>Appraised Value</u>
1	Stephens Production Company	\$ 3,300.00
3	Billy Fred Tyler and Reva Marie Tyler	\$ 351.00

Until acquisition by the City, authorization set forth in Property Acquisition Policy Resolution R-40-05 of May 17, 2005 are continued in effect in the event the property owner desires to agree to acquisition at the appraised value set forth in the Resolution.

This Resolution adopted this _____ day of April 2012.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

_____
npr

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

DATE: March 30, 2012

FROM: Steve Parke, Director of Utilities



SUBJECT: Highway 71 Interchange 12-Inch Water Line Relocation
Project Number 11-11-E1

The Arkansas Highway and Transportation Department (AHTD) is constructing the next phase of the new Route 71 which in later years will become part of the new I-49. This phase of the project requires the relocation of approximately 750 feet of 12-inch water line along Howard Hill Road and approximately 4,000 feet of 12-inch water line along U. S. Highway 71. The city is required to accomplish these relocations, however, the AHTD will reimburse the city for the relocation costs.

The project required the acquisition of 3 easements, one of which has been acquired. The following two properties remain to be acquired.

<u>Tract No.</u>	<u>Owner</u>	<u>Appraised Value</u>
1	Stephens Production Company	\$ 3,300.00
3	Billy Fred Tyler and Reva Marie Tyler	\$ 351.00

The easement areas on Tracts 1 and 3 are vacant pasture land abutting U. S. Highway 71 and will not affect any improvements. Exhibits showing the general area of the project, and the two easement areas are attached for your review.

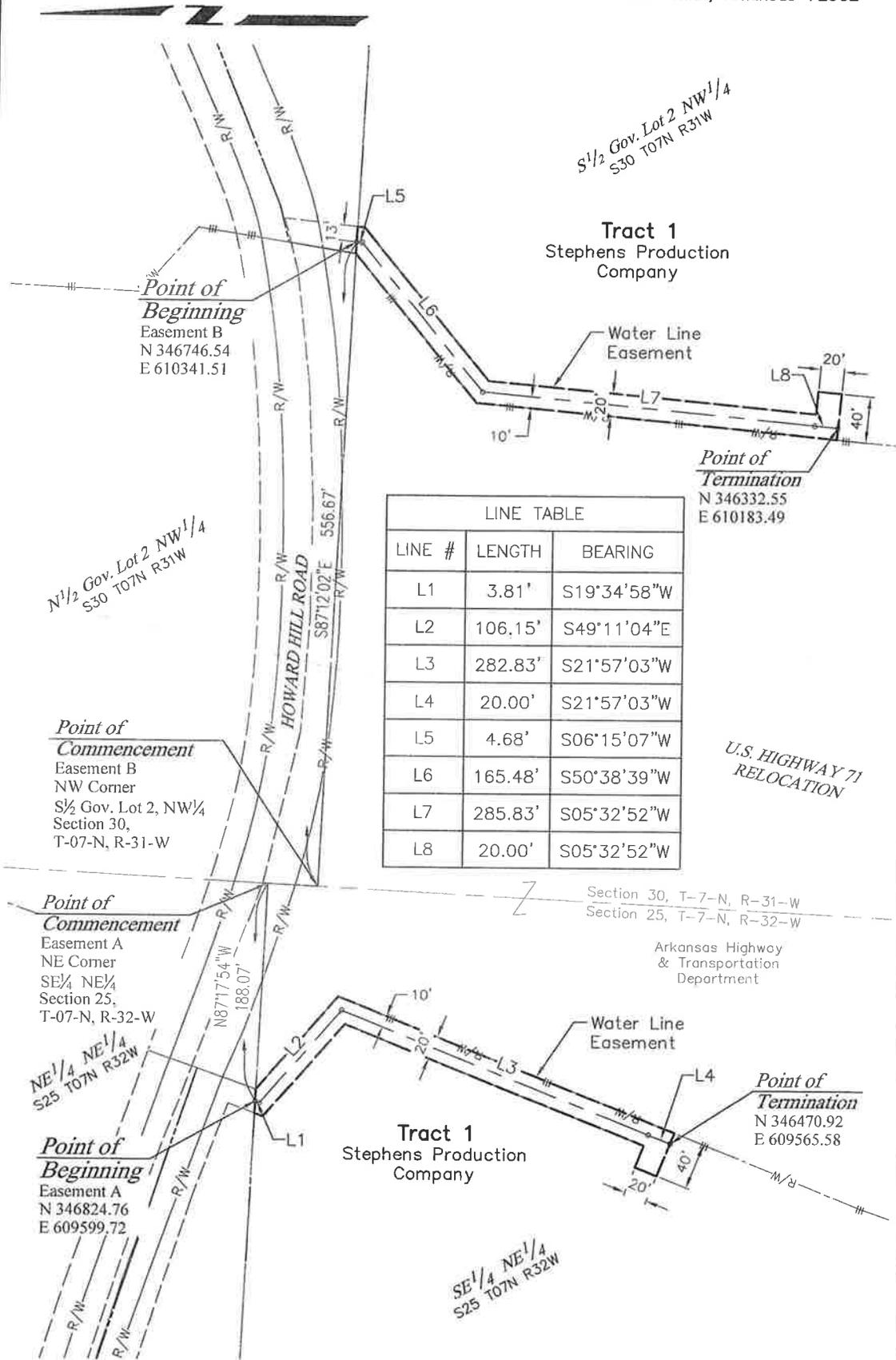
Staff has met with these property owners several times over the last few weeks, and have been unsuccessful in acquiring the needed easement for the appraised value. The owner of Tract 1 has an issue with AHTD as to the amount of property needed for the project. The owner of Tract 3 has an issue with the amount offered by the city for the easement. Both easements have been appraised by a certified appraiser. AHTD has scheduled bidding on the highway project in May of 2012, therefore, the city must move forward with it's relocation project.

Because of the project's scheduling, staff recommends that this Resolution be submitted to the Board of Directors for their approval at their next scheduled meeting, authorizing the City Administrator and the City Attorney to proceed with the eminent domain process to acquire the needed property interests. As always, representatives of the city will continue to negotiate with the property owner in an effort to reach a mutually agreeable settlement.

Should you or the Board have any questions or desire additional information, please let me know.

attachment

pc: Jeff Dingman



LINE TABLE		
LINE #	LENGTH	BEARING
L1	3.81'	S19°34'58"W
L2	106.15'	S49°11'04"E
L3	282.83'	S21°57'03"W
L4	20.00'	S21°57'03"W
L5	4.68'	S06°15'07"W
L6	165.48'	S50°38'39"W
L7	285.83'	S05°32'52"W
L8	20.00'	S05°32'52"W

Tract 1 - Easements A & B

Scale 1"=100'

U.S. HIGHWAY 71 WATER LINE RELOCATION - EASEMENT

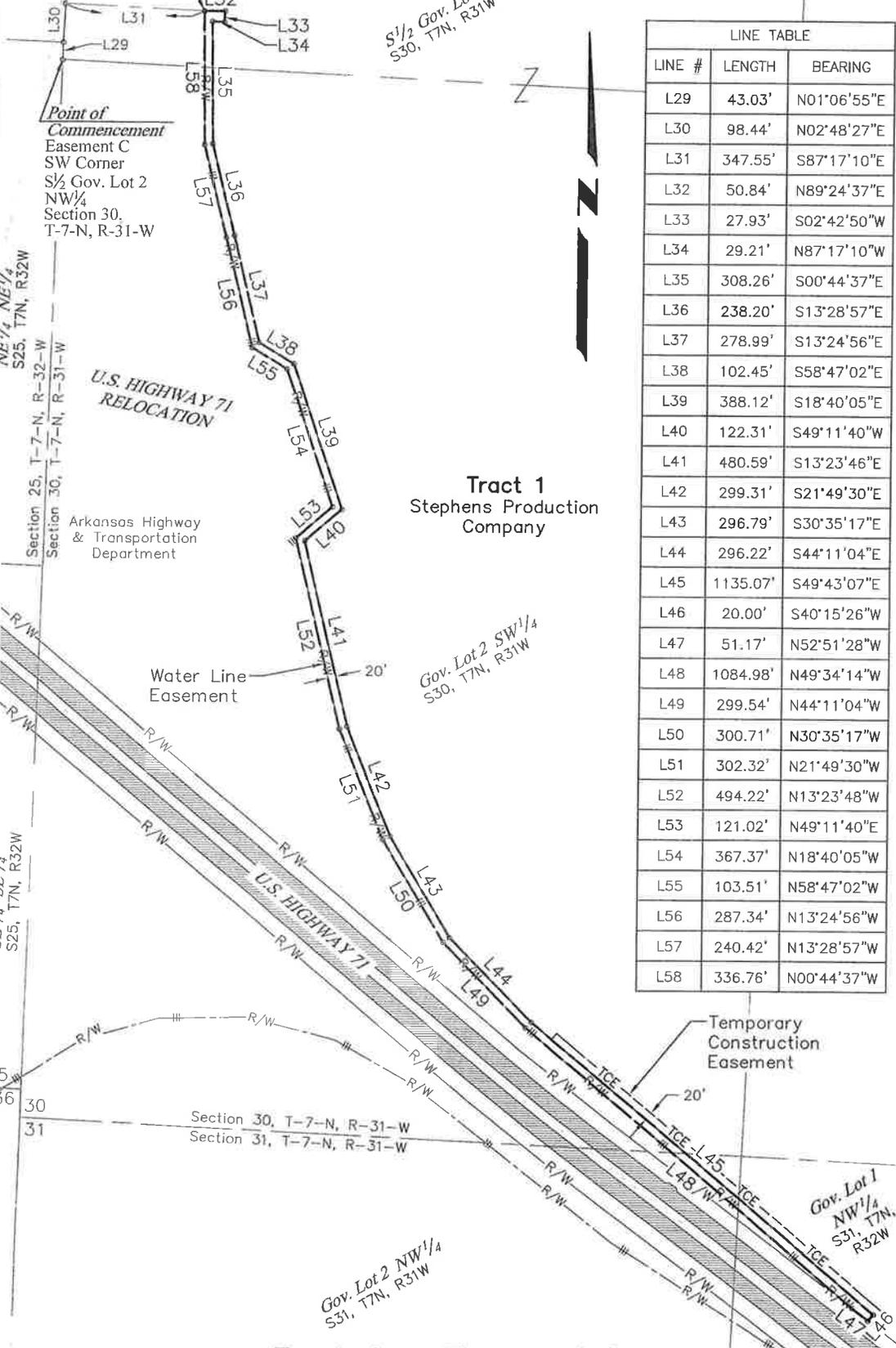
Hwy 71 Easement
 Exhibit-Stephens Prod Co.dwg

MICKLE-WAGNER-COLEMAN, INC.
 Engineers Consultants Surveyors

3434 Country Club Avenue
 P.O. Box 1507
 Fort Smith, Arkansas 72902

Point of Beginning

Easement C
 N 345572.77
 E 610074.53



LINE TABLE		
LINE #	LENGTH	BEARING
L29	43.03'	N01°06'55"E
L30	98.44'	N02°48'27"E
L31	347.55'	S87°17'10"E
L32	50.84'	N89°24'37"E
L33	27.93'	S02°42'50"W
L34	29.21'	N87°17'10"W
L35	308.26'	S00°44'37"E
L36	238.20'	S13°28'57"E
L37	278.99'	S13°24'56"E
L38	102.45'	S58°47'02"E
L39	388.12'	S18°40'05"E
L40	122.31'	S49°11'40"W
L41	480.59'	S13°23'46"E
L42	299.31'	S21°49'30"E
L43	296.79'	S30°35'17"E
L44	296.22'	S44°11'04"E
L45	1135.07'	S49°43'07"E
L46	20.00'	S40°15'26"W
L47	51.17'	N52°51'28"W
L48	1084.98'	N49°34'14"W
L49	299.54'	N44°11'04"W
L50	300.71'	N30°35'17"W
L51	302.32'	N21°49'30"W
L52	494.22'	N13°23'48"W
L53	121.02'	N49°11'40"E
L54	367.37'	N18°40'05"W
L55	103.51'	N58°47'02"W
L56	287.34'	N13°24'56"W
L57	240.42'	N13°28'57"W
L58	336.76'	N00°44'37"W

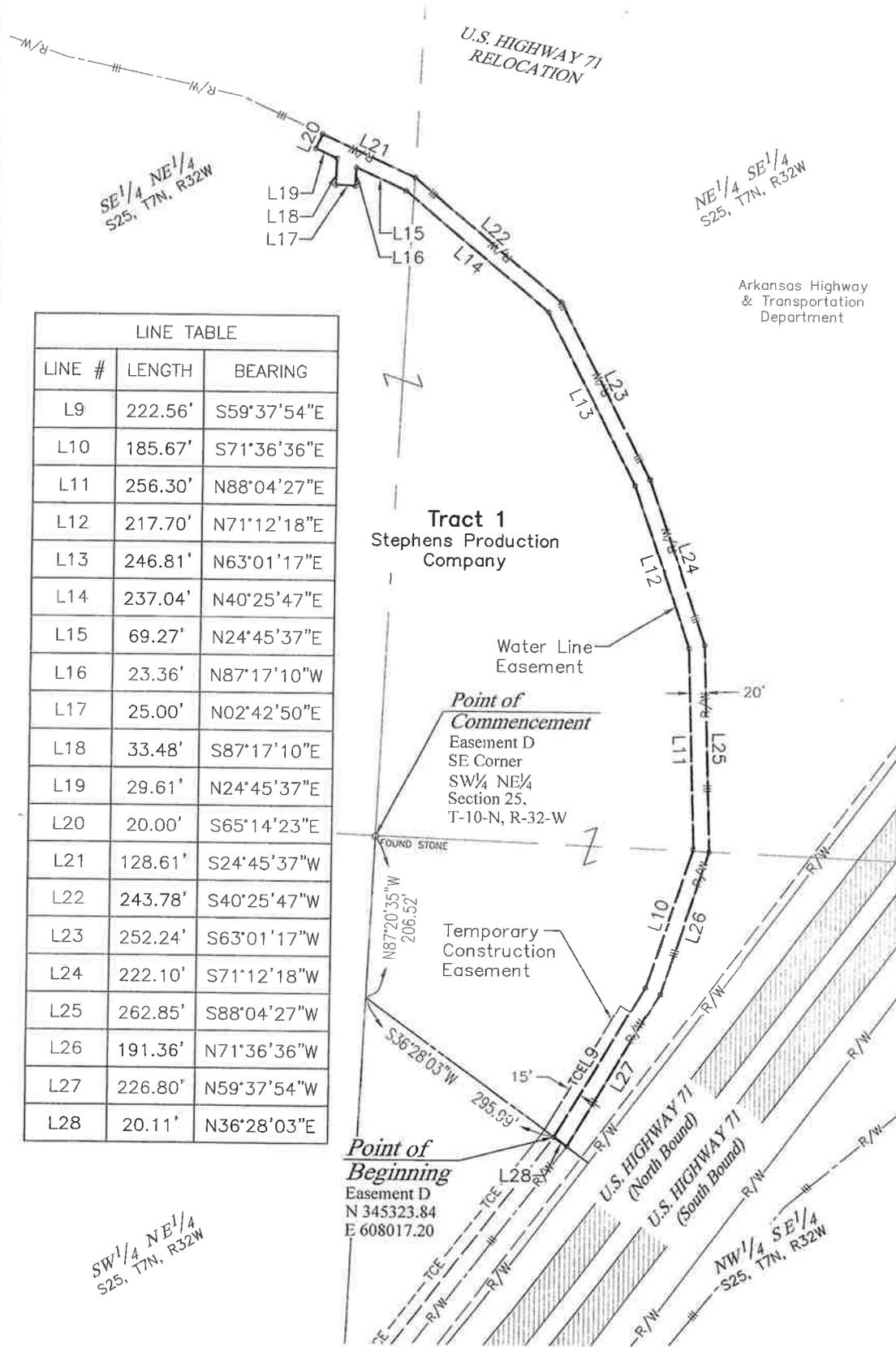
Tract 1
 Stephens Production
 Company

Tract 1 - Easement C

Scale 1"=300'

U.S. HIGHWAY 71 WATER LINE RELOCATION - EASEMENT

Hwy 71 Easement
 Exhibit-Stephens Prod Co.dwg



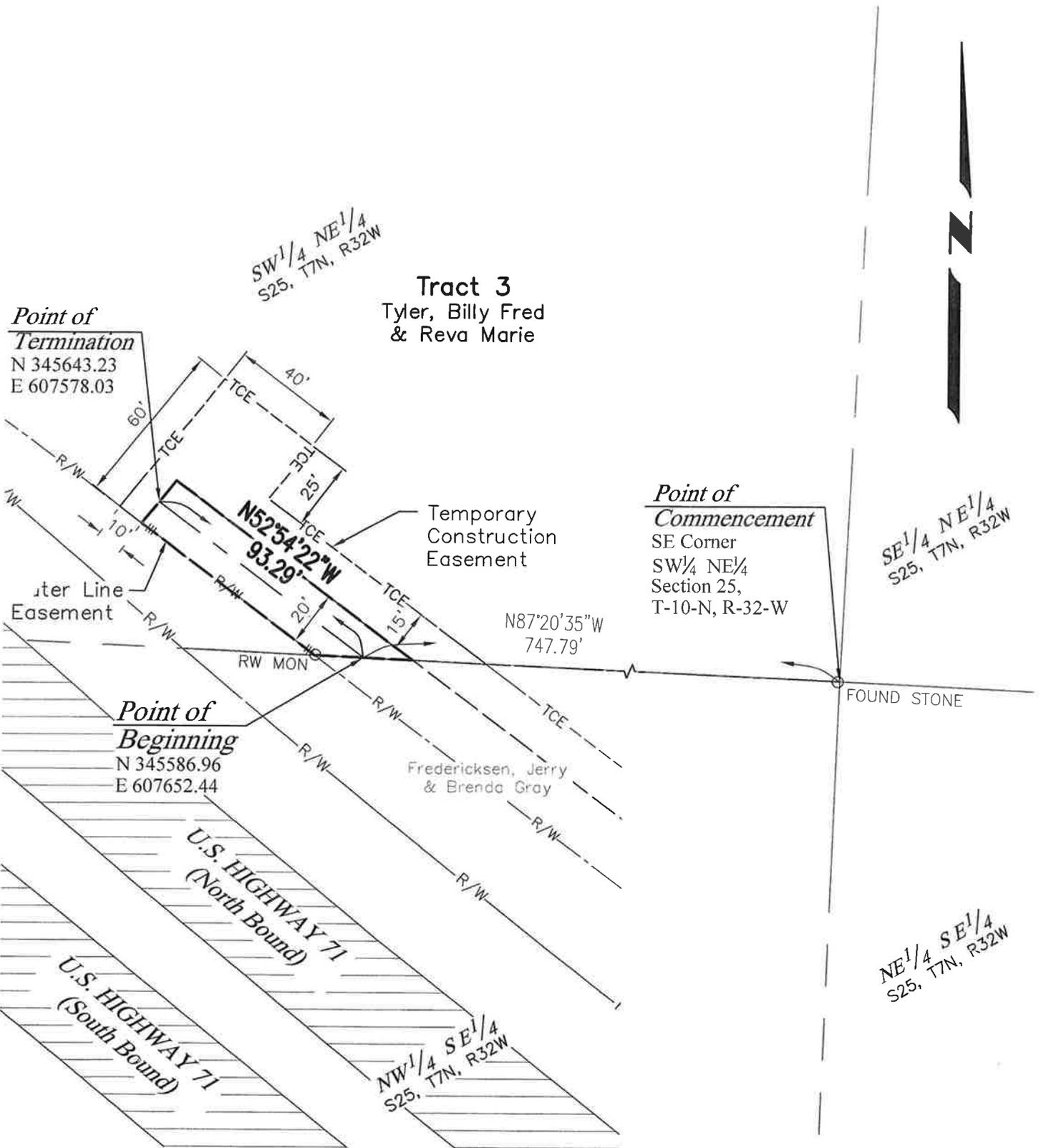
LINE TABLE		
LINE #	LENGTH	BEARING
L9	222.56'	S59°37'54"E
L10	185.67'	S71°36'36"E
L11	256.30'	N88°04'27"E
L12	217.70'	N71°12'18"E
L13	246.81'	N63°01'17"E
L14	237.04'	N40°25'47"E
L15	69.27'	N24°45'37"E
L16	23.36'	N87°17'10"W
L17	25.00'	N02°42'50"E
L18	33.48'	S87°17'10"E
L19	29.61'	N24°45'37"E
L20	20.00'	S65°14'23"E
L21	128.61'	S24°45'37"W
L22	243.78'	S40°25'47"W
L23	252.24'	S63°01'17"W
L24	222.10'	S71°12'18"W
L25	262.85'	S88°04'27"W
L26	191.36'	N71°36'36"W
L27	226.80'	N59°37'54"W
L28	20.11'	N36°28'03"E

Tract 1 - Easement D

Scale 1"=150'

U.S. HIGHWAY 71 WATER LINE RELOCATION - EASEMENT

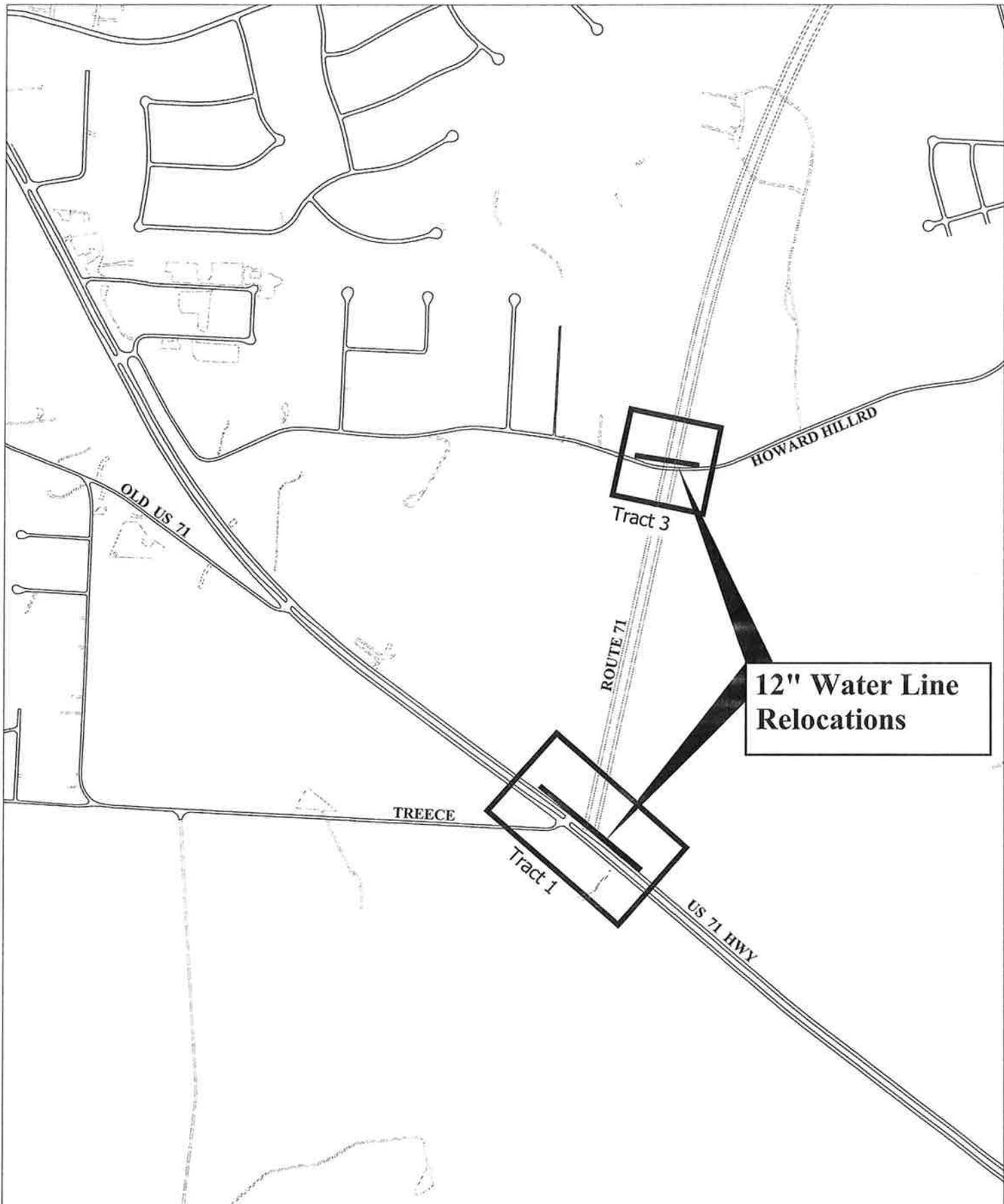
Hwy 71 Easement
 Exhibit-Stephens Prod Co.dwg



Tract 3

Scale 1"=50'

U.S. HIGHWAY 71 WATER LINE RELOCATION - EASEMENT



**Highway 71 Interchange
12-Inch Water Line Relocation
Project Number 11-11-E1**



RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH
ATKINS ENGINEERING, INC., FOR ENGINEERING SERVICES ASSOCIATED
WITH THE 24-INCH WATER TRANSMISSION LINE - EDWARDS STREET

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

SECTION 1: An Agreement with Atkins Engineering, Inc., for engineering services
associated with the 24-Inch Water Transmission Line - Edwards Street, Project Number 12-03-E1,
is hereby approved.

SECTION 2: The Mayor is hereby authorized to execute an Agreement in the amount of
\$116,430.00, for performance of said services.

This Resolution adopted this _____ day of April 2012.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

_____
npr

RESOLUTION NO. _____

RESOLUTION ACCEPTING THE BID OF AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH DIAMOND CONSTRUCTION COMPANY FOR THE 24-INCH WATER TRANSMISSION LINE - EDWARDS STREET

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

SECTION 1: The bid of Diamond Construction Company, for the performance of the 24-Inch Water Transmission Line - Edwards Street, Project Number 12-03-C1, is hereby approved.

SECTION 2: The Mayor is hereby authorized to execute a contract with Diamond Construction Company, for an amount of \$1,586,646.00, for performing said services.

This Resolution adopted this _____ day of April 2012.

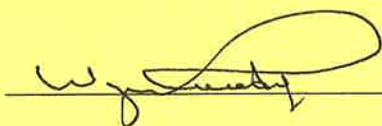
APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

_____
npr

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

DATE: March 22, 2012

FROM: Steve Parke, Director of Utilities



SUBJECT: 24-Inch Water Transmission Line - Edwards Street
Project Number 12-03-E1
Construction Observation Services

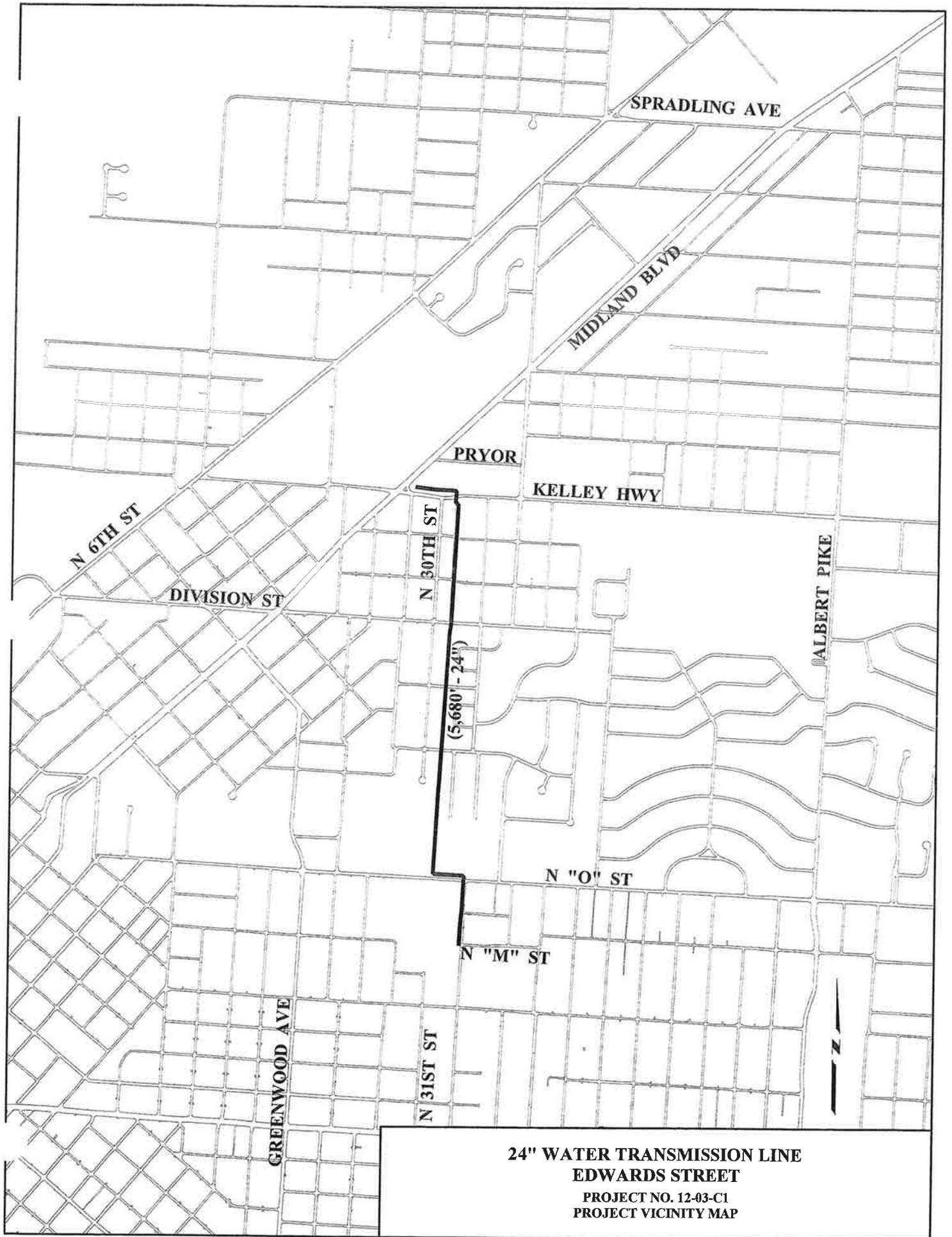
This project provides 5,680 feet of new 24-inch water line from the intersection of Midland and Kelley, then following along Edwards Street to North "L" Street. This project will strengthen the water delivery to the Haven Hill reservoir and service to the downtown area. The attached exhibit shows the locations of the improvements. The low bid for the project was submitted by Diamond Construction Company in the amount of \$1,586,646.00. A bid tabulation sheet is also attached for your information. A Resolution accepting the bid of and authorizing a contract with Diamond Construction Company in the amount of \$1,586,646.00 is attached.

Design and bidding phase services were provided by Atkins Engineering, Inc. A Resolution authorizing the Mayor to execute an Agreement with Atkins Engineering, Inc., in the amount of \$116,430.00, for providing construction observation services is attached. Funding for both construction and engineering services is available from the 2008 water and sewer revenue bonds.

Should you or members of the Board have any questions or desire additional information, please let me know.

attachment

pc: Jeff Dingman



24" WATER TRANSMISSION LINE
EDWARDS STREET
PROJECT NO. 12-03-C1
PROJECT VICINITY MAP

Tabulation of Bids Received
Page 1 of 1

Project Name:

24-Inch Water Transmission Line - Edwards Street

Project No:

12-03-C1

Bid Opening:

March 21, 2012

2:00 p.m.

Bids Received:

Diamond Construction Company

North Little Rock, Arkansas

\$ 1,586,646.00

Forsgren, Inc.

Fort Smith, Arkansas

\$ 1,717,354.80

Crawford Construction
Company

Fort Smith, Arkansas

\$ 1,758,506.00

Goodwin & Goodwin

Fort Smith, Arkansas

\$ 1,790,150.00

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH CDM SMITH, INC., FOR PROVIDING ENGINEERING SERVICES ASSOCIATED WITH THE WASTEWATER MANAGEMENT PLAN UPDATE

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

SECTION 1: An Agreement with CDM Smith, Inc., for providing engineering services associated with the Wastewater Management Plan Update, Project Number 12-10-E1, is hereby approved.

SECTION 2: The Mayor is hereby authorized to execute an Agreement for professional engineering services in the amount of \$358,892.00.

This Resolution adopted this _____ day of April 2012.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

_____
npr

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

DATE: March 19, 2012

FROM: Steve Parke, Director of Utilities 

SUBJECT: Wastewater Management Plan Update

In September 1993, CDM completed a Wastewater Management Plan outlining peak wet weather flow management options the City of Fort Smith could undertake to comply with federal regulations mandating the elimination of wastewater overflows and bypasses. This management plan has been the blueprint for a series of wastewater treatment and collection system improvements that the city has undertaken over the past several years. Two supplemental reports, one examining a higher frequency storm event and the other affordability issues, were also developed.

In our ongoing dialog with the U.S. Department of Justice and EPA regarding the city's efforts to eliminate wet weather overflows and bypasses, the need for a current wastewater management plan has been discussed. We have subsequently discussed updating of the original 1993 Wastewater Management Plan with CDM Smith and developed a scope of services for producing a revised work plan which will include the following:

- Document all major projects completed and underway since development of the original plan.
- Outline any changes to the approach proposed in the 1993 plan and rationale for making those changes.
- Incorporate the hydraulic models that were prepared subsequent to the 1993 Plan and rerunning of the models to evaluate collection system improvements that have been completed.
- Utilize the hydraulic model to evaluate the need for additional collection system improvements.
- Utilize the hydraulic models to determine strategic locations within the wastewater collection system to install rain gauges, liquid level sensors, and other suitable devices to gather real-time information on operating conditions within the collection system.
- Update the master plan to include expansions of the wastewater collection system into Chaffee Crossing and South Fort Smith growth areas and the effect these expansions might have on peak wet weather flows.
- Discuss wastewater treatment plant improvements completed and identify future improvements that may be required.
- Coordinate with City's Engineering Department concerning the proposed May Branch Drainage Improvements project and the routing of new wastewater outfall lines identified under the original management plan.
- Estimate construction costs for recommended improvements.
- Modify the current implementation schedule to include any additional improvements resulting from the management plan update.

The time required for completing all work identified is twelve months from authorization to proceed.

I have attached a Resolution authorizing the Mayor to execute an Agreement with CDM Smith for an amount not to exceed \$358,900.00. Funds for this project are available from the 2010 Revenue Bonds. Should you or members of the Board have questions or need additional information please let me know.

attachment

pc: Jeff Dingman



MEMORANDUM

TO: Mayor and Board of Directors
FROM: Wendy Beshears, Administrative Assistant
DATE: March 28, 2012
SUBJECT: Animal Services Advisory Board

The animal Services Advisory Board needs a total of two veterinarians and two board members of separate non-profit animal interest groups whose membership is comprised primarily of residents of the city and whose primary interest is the health and welfare of animals.

The applicants available at this time are:

Jon Remer	2715 Independence
Brook Borengasser	7324 South Q Street
Cheryl Gilmore	3409 South 98 Street

Appointments are by the Board of Directors. Two appointments are needed; the term will expire April 3, 2013 and April 3, 2014.

ANIMAL SERVICES ADVISORY BOARD

The animal services advisory board shall work in an advisory capacity to the Mayor and the Board of Directors in regards to topics that concern the care and safety of animals within the corporate limits of the city, and shall endeavor to stimulate and encourage communication with all members of the community to ensure that the programs, goals and objectives of the city relative to the care and safety of animals are consistent with community needs and desires. However, the animal services advisory board will not be responsible for the day to day operations of the Animal Control Division of the Fort Smith Police Department.

The animal services advisory board shall be composed of seven (9) members appointed by the Board of Directors.

	<u>Date Appointed</u>	<u>Term Expired</u>
<u>Veterinarian:</u>		
Mike Thames Veterinarian 4100 Kelley Hwy (04) 883-1243 (h) 782-1234 (w) petdocmdt@labahnvet.com	02/21/12	02/21/14
VACANT		

One owner, operator or employee of a business related to the production, sale distribution or care of animals of livestock:

Amanda Heim 4901 E. Valley Road (03) 785-4456 (h) 479-629-6068 (w) buffaloblue@aol.com	02/21/12	02/21/13
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Two board members of separate non-profit animal interest groups whose membership is for a comprised primarily of residents of the city, and whose primary interest is the health and welfare of animals, shall be appointed for a term.

Joan Bryant 1005 South 46 Street (03) 479-926-1266 (h) 434-4740 (w) No email	02/21/12	02/21/13
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VACANT

Two citizens shall be appointed for a term of two years:

Tammy Trouillon Community Outreach Director 8000 Holly Avenue (08) 226-3374 (h) 242-3609 (W) bookturner3@att.net	02/21/12	02/21/14
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Sherilyn Walton 8818 Meandering Way (03) 452-0146 kittylitter04@yahoo.com	02/21/12	02/21/14
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Two citizens shall be appointed for a term of three years:

Nicole Morgan 2908 Marion Court (8) 831-7033 dutchpk@gmail.com	02/21/12	02/21/15
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Carole Hutton P.O. Box 10018 (17) 462-4965 carolehutton@aol.com	02/21/12	02/21/15
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CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

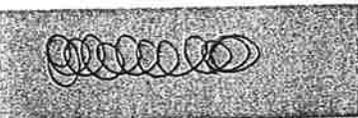
Note: As an applicant for a City Board, Commission or Committee, your name, address and phone number will be available to the press and the public. You will be contacted before any action is taken on your appointment.

Date: 3/6/12
 Name: Brock Borengasser Home Telephone: 479. 883.6111
 Home Address: 7324 S. Q Work Telephone: 479. 242.1186
 Zip: 72903 Email: brock@ultimutt dogcare.com
 Occupation: Co-owner Ultimutt Dog Care
 (If retired, please indicate former occupation or profession)
 Education: Bachelors in Information Technology - Web
 Professional and/or Community Activities: Board Humane Society

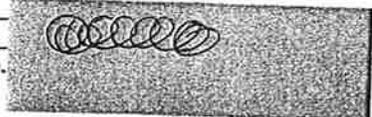
Additional Pertinent Information/References: _____

Are you a registered voter in the City of Fort Smith? Yes X No _____
 Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?
 Yes _____ NO X
 If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.

Drivers License AK
 information will be use to



Date of Birth _____
 (mark of all applicants).



I am interested in serving on the (please check):

* Animal Services Advisory Board

- | | |
|---|--|
| <input type="checkbox"/> Audit Committee | <input type="checkbox"/> Library Bd of Trustees |
| <input type="checkbox"/> Advertising & Promoting Commission | <input type="checkbox"/> Mechanical Bd of Adjustments and Appeals |
| <input type="checkbox"/> Airport Commission | <input type="checkbox"/> Oak Cemetery Commission |
| <input type="checkbox"/> Arkansas Fair & Exhibition Facilities Bd | <input type="checkbox"/> Outside Agency Review Panel |
| <input type="checkbox"/> Benevolent Fund Board | <input type="checkbox"/> Parking Authority |
| <input type="checkbox"/> Bldg. Bd. Of Adjustment and Appeals | <input type="checkbox"/> Parks & Recreation Commission |
| <input type="checkbox"/> Central Business Improvement District | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Convention Center Commission | <input type="checkbox"/> Plumbing Advisory Board |
| <input type="checkbox"/> Civil Service Commission | <input type="checkbox"/> Port Authority |
| <input type="checkbox"/> Community Development Advisory Com. | <input type="checkbox"/> Property Owners Appeals Board |
| <input type="checkbox"/> County Equalization Board | <input type="checkbox"/> Sebastian County Reg. Solid Waste Mgmt. Bd. |
| <input type="checkbox"/> Electric Code Board of Appeals & Appeals | <input type="checkbox"/> Sister Cities Committee |
| <input type="checkbox"/> Fire Code Board of Appeals & Adjustments | <input type="checkbox"/> Transit Advisory Commission |
| <input type="checkbox"/> Historic District Commission | <input type="checkbox"/> Residential Housing Facilities Board |
| <input type="checkbox"/> Housing Assistance Board | |
| <input type="checkbox"/> Housing Authority | |

CITY OF FORT SMITH Application for City Boards/Commissions/Committees

Note: As an applicant for a City Board, Commission or Committee, your name, address and phone number will be available to the press and the public. You will be contacted before any action is taken on your appointment.

Date: 3-8-12

Name: Jon C. Rempel DVM Home Telephone: 646-6023

Home Address: 2715 S INDEPENDENCE Work Telephone: 785-1792

Zip: 72901 Email: DR.REMPER@SWBELL.NET

Occupation: Veterinarian
(If retired, please indicate former occupation or profession)

Education: B.S. and D.V.M. from OSU

Professional and/or Community Activities: _____

Additional Pertinent Information/References: _____

Are you a registered voter in the City of Fort Smith? Yes No
Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?
Yes NO

If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.

Drivers License [Signature] Date of Birth [Signature]
information will be provided to the City of Fort Smith and check of all applicants).

I am interested in serving on the (please check):

- Audit Committee
- Advertising & Promoting Commission
- Airport Commission
- Animal Services Advisory Board
- Arkansas Fair & Exhibition Facilities Bd
- Benevolent Fund Board
- Bldg. Bd. Of Adjustment and Appeals
- Central Business Improvement District
- Convention Center Commission
- Civil Service Commission
- Community Development Advisory Com.
- County Equalization Board
- Electric Code Board of Appeals & Appeals
- Fire Code Board of Appeals & Adjustments
- Historic District Commission
- Housing Assistance Board
- Housing Authority
- Library Bd of Trustees
- Mechanical Bd of Adjustments and Appeals
- Oak Cemetery Commission
- Outside Agency Review Panel
- Parking Authority
- Parks & Recreation Commission
- Planning Commission
- Plumbing Advisory Board
- Port Authority
- Property Owners Appeals Board
- Sebastian County Reg. Solid Waste Mgmt. Bd.
- Sister Cities Committee
- Transit Advisory Commission
- Residential Housing Facilities Board

RESOLUTION NO. _____

5

**A RESOLUTION AFFIRMING APPOINTMENTS AND
MAKING ADDITIONAL APPOINTMENTS TO THE
ANIMAL SERVICES ADVISORY BOARD**

WHEREAS, the Board of Directors has created an Animal Services Advisory Board by the passage of ordinances codified as Sections 4-13 et. seq. of the Fort Smith Municipal Code; and

WHEREAS, at its February 21, 2012 meeting, the board of directors appointed 7 of the 9 members to the Animal Services Advisory Board; and

WHEREAS, the Board of Directors is now appointing the remaining two members of the Animal Services Advisory Board and desires to have the terms of all 9 members begin on April 3, 2012;

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

SECTION 1: The appointments of the following Animal Services Advisory Board members made at the February 21, 2012 meeting of the Board of Directors are hereby confirmed with all terms commencing on April 3, 2012, and with the term expiration dates as shown

<u>Position</u>	<u>Name</u>	<u>Term Expiration</u>
Veterinarian	Mike Thames	April 3, 2014
Owner, operator or employee of a business related to the care of animals or livestock	Amanda Heim	April 3, 2013
Board member of a non profit animal interest group	Joan Bryant	April 3, 2013

Citizens at large	Tammy Trouillon	April 3, 2014
	Sherilyn Walton	April 3, 2014
	Nicole Morgan	April 3, 2015
	Carole Hutton	April 3, 2015

SECTION 2: The appointments of the following members to the Animal Services Advisory Board are hereby made commencing on April 3, 2012, and with the term expiration dates as shown:

<u>Position</u>	<u>Name</u>	<u>Term Expiration</u>
Veterinarian	_____	April 3, 2014
Board member of a non profit animal interest group	_____	April 3, 2013

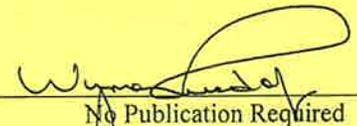
This Resolution passed this _____ day of April, 2012.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



No Publication Required



MEMORANDUM

March 28, 2012

TO: Mayor and Board of Directors

FROM: Ray Gosack, City Administrator

SUBJECT: Animal Services Advisory Board

Attached for the board of directors' consideration is a resolution regarding appointments to the 9-member animal services advisory board. The resolution accomplishes the following actions:

- ▶ Confirms the appointment of 7 members made at the February 21st board meeting.
- ▶ Changes the beginning date for these 7 appointments to April 3, 2012. This was requested at the special study session held on March 15th. Changing the appointment date to April 3rd will result in the staggered terms expiring at the same time each year.
- ▶ Appoints persons to fill the 2 remaining positions on the board. These positions must be filled by a veterinarian and by a board member of a non-profit animal interest organization. Appointments to these 2 positions will be discussed during the executive session of the April 3rd board of directors meeting.

Please contact me if there's any questions regarding these appointments.

Ray

Attachment

RESOLUTION NO. _____

**A RESOLUTION CONFIRMING THE APPOINTMENT
OF DIRECTOR OF STREETS & TRAFFIC CONTROL
FOR THE CITY OF FORT SMITH**

6

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

The City Administrator's recommendation that _____ be appointed Director of Streets & Traffic Control for the City of Fort Smith, effective _____, 2012 is hereby confirmed.

This Resolution adopted this ____ day of April, 2012.

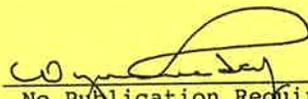
APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



No Publication Required