

MINUTES OF BOARD OF DIRECTORS SPECIAL MEETING

THURSDAY ~ JULY 28, 2011 ~ 12:00 NOON

ELM GROVE COMMUNITY CENTER

The special meeting was called by Directors Good, Hutchings, Weber and Settle at the July 26, 2011 study session to consider the following:

- Ordinance repealing Ordinance No. 14-11 and providing for the levy of a one-percent (1%) tax on the gross receipts or gross proceeds received by restaurants, cafes, cafeterias, delicatessens, drive-in restaurants, carry-out restaurants, concession stands, convenience stores, and grocery store-restaurants from the sale of prepared food and beverages for on-premises or off-premises consumption; and calling a special election in the City of Fort Smith, Arkansas, on the question of the approval or rejection of the levying of a one percent (1%) tax on the gross receipts or gross proceeds from the sale of prepared food and beverages; and prescribing other matters pertaining thereto

The special meeting was called to order by Mayor Sandy Sanders, presiding.

On roll call the following members of the Board were present: Directors Steve Tyler, Andre' Good, Don Hutchings, George Catsavis, Pam Weber, Kevin Settle and Philip Merry. The Mayor declared a quorum present.

At the request of Mayor Sanders, Police Chief Kevin Lindsey announced that Mr. Kevin Wolfe, suspect in a triple homicide in Fort Smith on Monday, July 25, 2011, surrendered to authorities in Saginaw, Michigan and will soon be extradited to Fort Smith.

Regarding the proposed ordinance, City Administrator Ray Gosack briefed the board on the item citing such was requested at the July 19, 2011 regular meeting.

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Upon approval, such will accomplish the following:

- Repeal of Ordinance 14-11, adopted February 24, 2011, levying the 1% prepared food tax.
- Re-adopts the 1% prepared food tax as originally approved in February. *(Such is required in order to refer the ordinance to the electorate of Fort Smith because referral of an ordinance to the voters must be done within 30 days of passage.)*
- Refers the ordinance levying the 1% prepared food tax to a vote of the people and calls a special election to be held on November 8, 2011.

Settle, seconded by Catsavis, moved adoption of the ordinance. The motion included suspending the rule to allow the three (3) full readings of the ordinance to be by caption and for the readings to occur on the same date. The City Clerk read the ordinance for its readings and the members all voting affirmatively, the Mayor declared the motion carried. Settle, seconded by Tyler, moved adoption of Section 13 the emergency clause. The members all voting affirmatively, the Mayor declared the motion carried and the ordinance and emergency clause were adopted and given No. 57-11.

Director Merry extended much appreciation for the Board's action and conveyed his support for the tax and intent to help answer any questions citizens may have regarding the issue.

There being no further business to come before the Board, Settle moved that the meeting adjourn. The motion was seconded by Tyler, and the members all

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voting aye, the Mayor declared the motion carried, and the special meeting stood adjourned at 12:05 p.m.

APPROVED:



MAYOR

ATTEST:



CITY CLERK