

MINUTES OF THE BOARD OF DIRECTORS REGULAR MEETING

TUESDAY ~ SEPTEMBER 20, 2011 ~ 6:00 P.M.

FORT SMITH PUBLIC SCHOOLS SERVICE CENTER

The meeting was called to order by Mayor Sandy Sanders, presiding. Invocation was given by Director Don Hutchings, followed by the Pledge of Allegiance. 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 Phillip H. Merry, Jr. The Mayor declared a quorum present.

The minutes of the September 6, 2011 regular meeting were presented for approval. Catsavis, seconded by Merry, moved approval of the minutes as written. The members all voting aye, the Mayor declared the motion carried.

Item No. 1 was presentation of a "*Good Neighbor Award*" whereby Mayor Sanders, the Board, and City Administration presented such to Mr. Gary Petersen for helping to make his neighborhood and the community a better place in which to live.

Mayor Sanders urged all those who wish to address the Board of Directors during the meeting to promptly complete a speakers card and submit to the City Clerk.

With regard to the time limit policy for persons wishing to address the Board, the Mayor communicated that five (5) minutes per side would be granted for controversial items with three (3) minutes for rebuttal per side. Two (2) minutes will be allotted for consent agenda items and for those participating in the citizens forum.

The Mayor inquired if any Board member had any item of business to present that was not already on the agenda. There was none presented.

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The Consent Agenda (Item No. 2) was introduced for consideration, the items being as follows:

- A. Resolution approving a tolling agreement with the United States Department of Justice relating to wet weather sanitary sewer work
- B. Resolution endorsing the Mayor C. Ray Baker Endowment Fund ~ Requested at the September 13, 2011 study session ~
- C. Resolution adopting annual audit requirements
- D. Resolution accepting bid for the purchase and installation of a fuel management system (\$51,853.96 / Sanitation Department / Budgeted - Program 6304-301)
- E. Ordinance amending the 2011 Budget (\$39,900.00 / Unreserved Balance of the General Fund to Fire Department Program 4802-301) ~ Fire Station No. 11 ~
- F. Ordinance authorizing the City Administrator to enter into a work agreement with Fleming Network Services, Inc. for the Radio Communications System Project (\$77,123.37 / Police Department / Not Budgeted - Program 4701-208)
- G. Resolution authorizing the execution of a memorandum of understanding between the City of Fort Smith, Arkansas, and Sebastian County, Arkansas, regarding the 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) Program
- H. Resolution to extend the authorized completion date of work by the Animal Services Task Force
- I. Resolution authorizing the City Administrator to accept offer made by property owners for the acquisition of real property interests for the Lake Fort Smith Water Supply Project (\$21,122.00 / Utility Department / Budgeted - 6505 Capital Improvement Program)
- J. Resolution authorizing the Mayor to execute Authorization Number Two with RJN Group, Inc. for providing engineering services associated with the Sanitary Sewer Rehabilitation - South 28th Street (\$90,910.45 / Utility Department / Budgeted - 2009 Sales Tax Bonds)

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- K. Resolution accepting the bid of and authorizing a contract with Forsgren, Inc. for construction of the Sanitary Sewer Rehabilitation - South 28th Street (\$1,012,014.70 / Utility Department / Budgeted - 2009 Sales Tax Bonds)

- L. Resolution authorizing the Mayor to execute Authorization Number Two to the agreement with Hawkins-Weir Engineers, Inc. for providing engineering design services associated with the Zero Street Equalization Basin and Pump Station Improvements (\$1,177,000.00 / Utility Department / Budgeted - 2009 Sales Tax Bonds)

Regarding Item No. 2D, Director Catsavis questioned if the purpose of the new system is due to concern of improper fuel usage. He further inquired who will maintain access to the new system.

Director of Sanitation Baridi Nkokheli advised the purpose of the new fuel system is to better account for fuel usage and provide security for City's fuel supply. The equipment will also calculate the miles per gallon used per vehicle, which will assist in forecasting future fuel costs. Only those employees who drive Sanitation Department vehicles will be issued cards to utilize the proposed fuel system.

Settle, seconded by Hutchings, moved adoption of all consent agenda items. The members all voting affirmatively, the Mayor declared the motion carried and the ordinances and resolutions were adopted with the ordinances numbered 72-11 and 73-11, and the resolutions numbered R-170-11 through R-179-11 respectively.

Mayor Sanders opened the Officials Forum with the following comments offered:

► Director Settle

- Re: 1. Extended congratulations to the University of Arkansas Fort Smith women's volleyball team upon winning the Division 2 conference opener.

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2. Noted the recent opening of McClure Amphitheater at Chaffee Crossing citing such maintains a beautiful view of the city of Fort Smith. He further noted the location will be an excellent location for many to view the upcoming Fort Smith Air Show slated for October 1st and 2nd.
3. Advised of a "great" joint meeting between the City of Fort Smith Board of Directors and the Sebastian County Quorum Court (held September 13), which multiple projects at Ben Geren Park were discussed.
4. Reminded all of the upcoming grand opening of the Chad Colley Boulevard Extension, which is scheduled for Thursday, September 22, 2011.

An executive session was held and after reconvening, the Mayor announced the following appointment nominations:

**CITIZENS ADVISORY COMMITTEE FOR THE
WATER AND SEWER OPERATIONS EFFICIENCY STUDY**

David Burrell
Bruce D. King
Tim Dooly
Matthew Garner
Patrick Jacobs
C. Leo Patterson
Kevin Moran
Bill Maddox
Lorie Robertson
Michelle Cernak
Gary Campbell

Terms expire upon completion of study

FIRE CODE BOARD OF APPEALS AND ADJUSTMENTS

James Reddick (reappointment)
Karl Sutherland (reappointment)
Terms expire October 31, 2015

OUTSIDE AGENCY REVIEW PANEL

Jim Geels
Term expires March 31, 2012

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Hutchings, seconded by Tyler, moved acceptance of all appointment nominations.

The members all voting aye, the Mayor declared the motion carried.

Mayor Sanders then opened the Citizens Forum with the following individuals present to address the Board:

- Nan Bartlett
Fort Smith, Arkansas

Re: Stated the convention center should be utilized more frequently; therefore, she alleged current operations need to be changed to ensure such.

- Teresa Jones
Susan G. Komen for the Cure - Ozark Affiliate
Fort Smith, Arkansas

Re: Presented information and invited the Mayor and Board to the Susan G. Komen "*Paint the Park Pink*" fundraising event for breast cancer research and treatment, which is scheduled for Saturday, September 24th at the University of Arkansas Fort Smith campus.

Mayor Sanders noted that Director/Vice-Mayor Settle will be in attendance.

- Bob Allan
Fort Smith, Arkansas

Re: Advised the Planning Commission recently approved a rezoning to allow an expansion project at the Fianna Hills Nursing and Rehabilitation Center on South 28th Street. The matter will soon be considered by the Board of Directors; therefore, due to drainage concerns, he recommended the matter be delayed for sixty (60) days in order to review such.

- Elizabeth Mayo
Fort Smith, Arkansas

Re: Clarified that 44 companies have left Fort Smith since January 2008 and stated the City needs to be "*friendlier*" to businesses in the city.

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- Pauline Novak
Fort Smith, Arkansas

- Re: 1. Extended much appreciation to the City of Fort Smith Police and Fire Departments citing they are "*the best in the state*". If the 1% prepared food tax does not pass at the November 8, 2011 special election, she urged the City find other cost savings rather than cutting expenses to the aforementioned departments.
2. Requested several directors contact her to discuss issues regarding public transit.

There being no further business to come before the Board, Merry moved that the meeting adjourn. The motion was seconded by Tyler, and the members all voting aye, the Mayor declared the motion carried and the meeting stood adjourned at 7:30 p.m.

APPROVED:



Mayor

ATTEST:



City Clerk