

MINUTES OF THE BOARD OF DIRECTORS REGULAR MEETING

TUESDAY ~ OCTOBER 18, 2016 ~ 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 Keith Lau, Andre' Good, Mike Lorenz, George Catsavis, Kevin Settle, Tracy Pennartz and Don Hutchings. The Mayor declared a quorum present.

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

The minutes of the October 4, 2016 regular meeting were presented for approval. Settle, seconded by Hutchings, moved approval of the minutes as written. The members all voting aye, the Mayor declared the motion carried.

Mayor Sanders announced this was the time and place set for a public hearing to close and vacate portions of Kinkead Avenue, North 51st Street and North 53rd Street located in the City of Fort Smith, Arkansas. Notice of the public hearing was duly published as required by law. Following the public hearing, consideration of an ordinance authorizing same was given (Item No. 1).

Deputy City Administrator Jeff Dingman briefed the Board on the item advising such is per the request of the University of Arkansas Fort Smith (UAFS). The proposed ordinance authorizes the abandonment of a portion of Kinkead Avenue, North 51st Street and North 53rd Street. All properties adjacent to the proposed street closures are owned by UAFS. The purpose of the abandonment is to increase the safety for UAFS students. A traffic study was

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conducted to determine the amount of thru traffic that would be displaced to other streets. On September 6th and October 6th, staff mailed letters to property owners within five-hundred (500) feet of proposed street closures to advise of the proposed street closures and public hearing. Two (2) residents on North 53rd Street phoned staff and indicated they were not opposed to the closure, but conveyed concern regarding the speed of motorist. One (1) resident on Kinkead Avenue phoned staff expressing opposition to the Kinkead Avenue closure. All franchise utility companies and appropriate City departments were contacted regarding any ongoing or future interests that they may have within the subject areas and UAFS agreed to sign a utility and storm drainage easement to allow maintenance of existing infrastructure in the proposed area for abandonment. UAFS also agreed to sign a memorandum of understanding (MOU) stipulating the applicant or their assigns will not make any claims for compensation in the event the city exercises the power of eminent domain to reclaim the abandoned right-of-way.

The following individuals were present to address the Board:

- Paul Beran
UAFS Chancellor

Re: Spoke in favor of the item citing such is requested merely for the safety of UAFS students.

- Bryan Shepard
Fort Smith, AR

Re: Conveyed opposition to the proposed closure on Kinkead Avenue alleging such could present other traffic issues as motorists cut through parking lots and across multiple lanes of traffic without a stop light.

- Joe Atkinson, III
Fort Smith, AR

Re: Spoke in opposition to the item citing traffic regulations relative to crosswalks.

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- Dixie E. Geren
Fort Smith, AR

Re: Advised she resides on North 53rd Street and is speaking on behalf of all North 53rd Street residents, who are concerned with the gate location. Due to such, she requested the proposed location of the gate on North 53rd Street be moved to ensure there is no through traffic on said street.

- Lisa Robey
Fort Smith, AR

Re: Advised she lives on North 48th Street and expressed concern that upon approval of the proposed, such will deter traffic to the North 48th Street area; therefore, requested the Board consider such.

There being no further individual present to address the Board, the Mayor closed the public hearing.

Settle, seconded by Lau, moved adoption of the item. 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.

Prior to the vote and regarding Ms. Geren's request, Director Catsavis inquired UAFS is willing to consider an alternate location for the gate.

Mayor Sanders advised that upon approval, Mr. Beran has indicated an alternate gate location will be considered as requested.

Director Settle noted UAFS is a foundation for the community and urged all to embrace the growth of UAFS citing the safety of the students should be first priority.

Director Pennartz urged the Board to consider the traffic concerns conveyed by Mr. Shepard, i.e. a blind spot at North 46th and Grand Avenue. She further requested UAFS to consider adding sidewalks to address the anticipated increase in pedestrian traffic.

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Director Lau spoke in support of the proposed closures conceding that such will increase traffic on surrounding roadways; therefore, he conveyed assurance the matter could result in a future necessity to widen Park Avenue. If so, he further requested sidewalks be included.

Mayor Sanders concurred with the comments of Director Lau, but reminded the Board there a multiple areas of the city in need of sidewalks.

Settle, seconded by Hutchings, moved to amend the ordinance making approval contingent upon approval of the Board of Trustees of the University of Arkansas System. The members all voted affirmatively, with the exception of Director Pennartz, who abstained citing she serves as an adjunct instructor for UAFS. The Mayor declared the motion carried and the ordinance stood amended.

Hutchings, seconded by Settle, moved adoption of the ordinance as amended. The members all voted affirmatively, with the exception of Director Pennartz, who abstained. The Mayor declared the motion carried. Settle, seconded by Lorenz, moved adoption of Section 3 the emergency clause and the members all voted affirmatively, with the exception of Director Pennartz, who abstained. The Mayor declared the motion carried and the ordinance and emergency clause were adopted and the ordinance was given Ordinance No. 68-16.

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

- A. Ordinance amending the 2016 Budget (*Police Department*)
- B. Resolution setting public hearing date on petition to vacate a portion of South 12th Street located in Sulphur Spring Town, an addition to the City of Fort Smith, Arkansas (*applicant: Evangel Temple*)

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- C. Ordinance to abandon a public utility easement located in Fitzgerald Addition, Block 56, an addition to the City of Fort Smith, Sebastian County, Arkansas (*applicant: Evangel Temple*)
- D. Resolution authorizing partial payment to Forsgren, Inc. for the construction of Jenny Lind Road and Ingersoll Avenue Widening Project, AHTD Job 040471, City of Fort Smith Project No. 07-01-A (\$1,332,103.11 / *Engineering Department / Budgeted – Sales Tax Program*) ♦
- E. Resolution accepting completion of and authorizing final payment for the construction of 2015 Traffic Signal Improvements, Project No. 15-09-A (\$47,559.22 / *Engineering Department / Budgeted – Sales Tax Program*) ♦
- F. Resolution authorizing the City Administrator and Director of Human Resources to negotiate third party administrator services for employee insurance coverage ~ *Hutchings/Lorenz placed on agenda at the October 10, 2016 special study session* ~
- G. Resolution accepting bids for the purchase of fleet trucks and vehicles (\$744,267.10 / *Street Department / Budgeted – Various Programs*)
- H. Resolution to accept the bid and authorize a contract for construction of the Rice Carden Walking Trail, AHTD Job No. 040698 (\$717,120.00 / *Parks Department / Budgeted – 1/8 Cent Sales Tax*) ♦
- I. Resolution authorizing partial payment to S.J. Louis Construction of Texas, LTD for the construction of the Lake Fort Smith Water Transmission Line – Phase I (\$829,069.93 / *Utility Department / Budgeted – 2012 Sales and Use Tax Bonds - Water*)

Regarding Item No. 2F, Director Pennartz conveyed uncertainty of the final offers for subject services; therefore, expressed desire for the Board to evaluate such during the upcoming budget review hearings.

Regarding Item No. 2G, Director Catsavis inquired of the number of vehicles being purchased and if any utilize alternative fuel such as compressed natural gas (CNG).

Purchasing Manager Alie Bahsoon advised the item authorizes the purchase of twelve (12) vehicles and none utilize an alternative fuel source. A study was conducted in 2015 regarding the cost effectiveness of CNG vehicles and at that time, it was determined such was

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simply not a cost effective option for the City because the cost of the conversion kits are extremely expensive. Research was performed earlier this year to determine if costs have decreased; however, the rates had not changed. He further advised the State of Arkansas Assistance Program will provide grants to help supplement the cost of CNG conversion; however, such is not available to municipalities.

Directors Settle and Lorenz spoke in favor of the City moving toward purchasing only CNG vehicles. Since the cost of a conversion kit is the issue, it was recommended that a cost analysis for such be conducted annually. Also, due to rapidly changing technology, such analysis should include information from manufactures to determine if alternative fuel vehicles are being manufactured, which may be more cost effective than the purchase of a conversion kit.

Director Settle also encouraged City staff to inquire if a vehicle in need of replacement can be utilized by another City department prior to including said vehicle in the public auction.

Settle, seconded by Catsavis, moved adoption of all consent agenda items. The members all voted affirmatively on all items with the exception of Item No. 2F whereby Directors Pennartz and Settle voted “no”; Item No 2G whereby Director Pennartz voted “no” ; and, Items No. 2B and 2C whereby Director Hutchings abstained. Mayor Sanders declared the motion carried and the ordinances and resolutions were adopted with the ordinances given Ordinance No. 69-16 and 70-16 and the resolutions numbered R-153-16 through R-159-16, respectively.

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

➤ Mayor Sanders

Re: Announced early voting starts Monday, October 24th and encouraged all to get out and vote.

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➤ Director Settle

Re: Noted the Greg Smith River Trail Ribbon Cutting is set for 11:00 a.m., Wednesday, October 26, 2016 and encouraged all to attend.

➤ Deputy City Administrator Dingman

- Re: 1. Introduced the new Director of Human Resources Naomi Roundtree.
2. Reminded of the Special Study Session, to be held jointly with the Sebastian County Quorum Court to review 2016 operations and 2017 Budget for Parrot Island Waterpark, is set for 6:00 p.m., Thursday, October 27, 2016 at the Ben Geren Safe Shelter.

The Board entered into executive session at approximately 6:27 p.m. and after reconvening, the Mayor announced the following appointment nominations:

AUDIT COMMITTEE

Mike Lorenz (Director) (reappointment)
Tracy Pennartz (Director) (reappointment)
Lavon Morton (reappointment)

Kip Jarvas (reappointment)
Terms expire November 30, 2019

OAK CEMETERY COMMISSION

Scott Stubblefield (reappointment)
Joseph Irwin (reappointment)
Terms expires November 30, 2019

PARKS & RECREATION COMMISSION

Lacey M. Jennen
Term expires August 31, 2017

NATIONAL LEAGUE OF CITIES CITY SUMMIT VOTING DELEGATES

(November 16-19, 2016 / Pittsburg, PA)
Carl Geffken, City Administrator

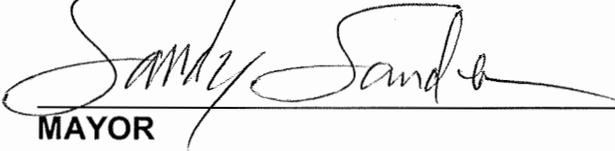
Hutchings, seconded by Pennartz, moved acceptance of the above named nominations.

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

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There being no further business to come before the Board, Settle moved that the meeting adjourn. The motion was seconded by Lorenz and the members all voting aye, the Mayor declared the motion carried and the meeting stood adjourned at 6:36 p.m.

APPROVED



A handwritten signature in cursive script, appearing to read "Sandy Sande", written over a horizontal line.

MAYOR

ATTEST



A handwritten signature in cursive script, appearing to read "Sheri Sand", written over a horizontal line.

CITY CLERK