

# **AGENDA** ~ *Summary*

## **FORT SMITH BOARD OF DIRECTORS REGULAR MEETING**

***November 15, 2011 ~ 6:00 P.M.***

**FORT SMITH PUBLIC SCHOOLS  
SERVICE CENTER  
3205 JENNY LIND ROAD**

***THIS MEETING IS BEING TELECAST LIVE ON THE CITY CABLE ACCESS CHANNEL 6***

**INVOCATION & PLEDGE OF ALLEGIANCE**

**ROLL CALL**

*All present*

**PRESENTATION BY MEMBERS OF THE BOARD OF DIRECTORS OF ANY ITEMS  
OF BUSINESS NOT ALREADY ON THE AGENDA FOR THIS MEETING**

***(Section 2-37 of Ordinance No. 24-10)***

*Information available by viewing rebroadcast of the meeting on the City Access Channel 6 or City website*

**APPROVE MINUTES OF THE NOVEMBER 1, 2011 REGULAR MEETING**

*Unanimously approved as written*

**ITEMS OF BUSINESS:**

1. Public hearing and ordinance certifying to the Sebastian County Tax Collector delinquent property cleanup liens  
*Approved 7 in favor, 0 opposed / Ordinance No. 91-11*
2. Ordinance amending Ordinance No.60-10 and setting the location and time for regular meetings of the Board of Directors for the year 2012  
*Approved 7 in favor, 0 opposed / Ordinance No. 92-11*
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 (*1906 South "N" Street and 2405 North 31<sup>st</sup> Street and rear storage*)

Approved 7 in favor, 0 opposed / Ordinance No. 93-11

4. Ordinance amending Chapter 18, Article III of the Fort Smith Municipal Code to add Sections 18-81 through 18-85 regarding park rules  
Tabled for 6 months to obtain an opinion from the Attorney General.
5. Consent Agenda
  - A. Ordinance declaring exceptional circumstance and authorizing continuation of agreement with Data-Tronics Corporation  
Approved 7 in favor, 0 opposed / Ordinance No. 94-11
  - B. Resolution authorizing the offering of water and sewer revenue bonds to refund outstanding Water and Sewer Refunding Revenue Bonds, Series 2005A; and prescribing other matters relating thereto  
Approved 7 in favor, 0 opposed / Resolution No.R-204-11
  - C. Resolution authorizing an agreement between the City of Fort Smith, Arkansas and the Fort Chaffee Redevelopment Authority to jointly design, construct and fund the McClure Amphitheater Road, Project 12-00-A  
Approved 6 in favor, 1 opposed (Catsavis) / Resolution No.R-205-11
  - D. Resolution authorizing a change order for the construction of Chad Colley Boulevard Extension, Project No. 10-00-A (\$10,205.83 / Engineering Department / Budgeted - Sales Tax Fund)  
Approved 7 in favor, 0 opposed / Resolution No.R-206-11
  - E. Resolution accepting completion of and authorizing final payment for the construction of Chad Colley Boulevard Extension, Project No. 10-00-A (\$69,094.46 / Engineering Department / Budgeted – Sales Tax Fund)  
Approved 7 in favor, 0 opposed / Resolution No.R-207-11
  - F. Resolution authorizing the Mayor to enter into an amended lease agreement with Produce Row Development, LLC for operating a portion of the Park at West End  
Approved 6 in favor, 1 opposed (Catsavis) / Resolution No.R-208-11
  - G. See Item No. 4
  - H. Resolution authorizing Contract Amendment No. 1 with Crawford Construction Company for the renovation and additions to the transit facilities located at 6812 Jenny Lind Road Project No. 10-02 (\$37,182.66 / Transit Department / Budgeted – Encumbered from 2010 Budget - 100% funded by the American Recovery Reinvestment Act of 2009)  
Approved 7 in favor, 0 opposed / Resolution No.R-209-11

- I. Resolution authorizing partial payment to Crossland Heavy Contractors, Inc. for construction of the Lake Fort Smith Water Treatment Plant – Contract 3 (\$821,432.17 / Utility Department / Budgeted - 2008 Revenue Bonds)  
*Approved 7 in favor, 0 opposed / Resolution No.R-210-11*
- J. Resolution authorizing the City Administrator to accept offer made by property owner for the acquisition of real property interests for the Lake Fort Smith Water Supply Project (\$126,000.00 / Utility Department / Budgeted - Capital Improvement Program Fund)  
*Approved 7 in favor, 0 opposed / Resolution No.R-211-11*
- K. Resolution accepting the project as complete and authorizing final payment to Silco Construction, Inc. for construction of the site restoration for the Sunnymede Wet Weather and Walking Trail Improvements (\$51,030.38 / Utility Department / Budgeted - 2009 Sales Tax Bonds)  
*Approved 7 in favor, 0 opposed / Resolution No.R-212-11*
- L. Resolution accepting the project as complete and authorizing final payment to M. Phillips Construction, Inc. for the 27-Inch Transmission Line Replacement – Lancaster Place (\$169,572.86 / Utility Department / Budgeted – 2008 Revenue Bonds)  
*Approved 7 in favor, 0 opposed / Resolution No.R-213-11*

*NOTE: The below item was placed on the agenda as Item No.6 by unanimous vote of the board*

- 6. Discussion regarding Van Buren water true up  
The Board concurred to forward an invoice to Van Buren for the year 2009 and requested a joint meeting with the Van Buren Water Commission and the Van Buren elected officials be scheduled in the near future.

**OFFICIALS FORUM ~ presentation of information requiring no official action  
(Section 2-36 of Ordinance No. 24-10)**

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

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## EXECUTIVE SESSION

- Performance Evaluation – City Administrator  
The Mayor announced satisfaction with the City Administrator's performance and noted another performance evaluation will be conducted in 6 months.

- Appointment: **AIRPORT COMMISSION**  
Larry Schiffner  
Term expires June 30, 2016

**BUILDING BOARD OF ADJUSTMENTS AND APPEALS**  
Chip Johnson (reappointed)  
Term expires November 30, 2015

**OAK CEMETERY COMMISSION**  
Mrs. Randall Ross Viguet  
Term expires November 30, 2014

**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)**

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## ADJOURN

8:48 P. M.