



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 ~ Summary
**Fort Smith Board of Directors
Regular Meeting**

March 6, 2012 ~ 6:00 P.M.

**Fort Smith Public Schools Service Center
3205 Jenny Lind Road**

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 the meeting minutes on the City website

APPROVE MINUTES OF THE FEBRUARY 21, 2012 REGULAR MEETING

Unanimously approved as written

ITEMS OF BUSINESS:

1. Items regarding Automated Refuse Collection Program:
 - A. Resolution directing staff to reinstitute manual collection of residential solid waste from the alleyways of the Park Hill East Neighborhood; and for other purposes ~ *Requested at the February 28, 2012 study session ~ Approved 4 in favor, 3 opposed (Good, Hutchings & Settle) / Resolution No. R-44-12*
 - B. Resolution reaffirming the city-wide expansion of automated collection of residential solid waste, and for other purposes ~ *Requested at the February 28, 2012 study session ~ Motion defeated 3 in favor, 4 opposed (Tyler, Catsavis, Weber & Merry)*

2. Ordinance amending the 2009 Unified Development Ordinance of the City of Fort Smith (*signage in ETJ area and Phoenix Avenue Extension*)
Approved 7 in favor, 0 opposed as amended to adopt only the regulations relative to business signs in the ETJ area / Ordinance No. 19-12
3. Ordinance amending the Master Land Use Plan map and rezoning identified property and amending the zoning map (*Master Land Use Plan from General Commercial to Office, Research and Light Industrial for property located at 1000 Dodson Avenue, 1300, 1305, 1315, 1400, 1406, 1408 South 11th Street and 1101 South "N" Street; Rezoning from Transitional (T) to Industrial Light (I-1) by extension for property located at 1300, 1305, 1315, 1400, 1406, 1408 South 11th Street and 1101 South "N" Street*)
Approved 7 in favor, 0 opposed / Ordinance No. 20-12
4. Ordinance rezoning identified property and amending the zoning map (*from Industrial Light (I-1) to Residential Multi-Family High Density (RM-4) by extension for property located at 1501 and 1503 North 7th Street*)
Approved 7 in favor, 0 opposed / Ordinance No. 21-12
5. 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 (*4209 North "N" Street*)
Approved 7 in favor, 0 opposed / Ordinance No. 22-12
6. Ordinance amending Chapter 4, Article I of the Fort Smith Municipal Code regarding the Animal Services Advisory Board ~ *Requested at the February 21, 2012 regular meeting ~*
Motion defeated 2 in favor / 5 opposed (Tyler, Good, Hutchings, Catsavis & Settle)
7. Resolution expressing appreciation and accepting the report of the Animal Services Task Force ~ *Requested at the February 28, 2012 study session ~*
Approved 7 in favor, 0 opposed / Resolution No. R-45-12
8. Ordinance amending Ordinance No. 15-12 to correct the boundary description of Ward 4
Approved 7 in favor, 0 opposed / Ordinance No. 24-12
9. Resolution opposing the initiative known as the Natural Gas Severance Tax Act of 2012
Approved 7 in favor, 0 opposed / Resolution No. R-46-12
10. Consent Agenda
 - A. Resolution granting a temporary revocable license for the placement of a sign and landscaping within a public right-of-way and authorizing the

Mayor to execute agreement (1400 Fianna Way - Fianna Property Owners Association)

Approved 7 in favor, 0 opposed / Resolution No. R-47-12

- B. Resolution authorizing the acquisition of real property interests for Jenny Lind Road and Ingersoll Avenue Widening, Project No. 07-01-A, AHTD Job No. 040471 (\$167,000.00 / Engineering Department / Budgeted – Sales Tax Program Fund)

Approved 7 in favor, 0 opposed / Resolution No. R-48-12

- C. Resolution approving agreement for property and automotive insurance on city owned automobiles and property

Removed from consideration

- D. Ordinance declaring an exceptional situation and waiving the requirements of competitive bidding and approving an agreement with Sebastian County for the District Court computer system (\$90,000 / District Court / Budgeted – Transfer from Police Department)

Approved 7 in favor, 0 opposed / Ordinance No. 25-12

- E. Resolution authorizing the execution of a non-residential solid waste collection and disposal permit and agreement with Deffenbaugh of Arkansas, LLC

Approved 7 in favor, 0 opposed / Resolution No. R-49-12

- F. Resolution authorizing Contract Amendment No. 2 with Crawford Construction Company for the renovation and additions to the transit facilities located at 6821 Jenny Lind Road, Project No. 10-02 (\$41,238.00 / Transit Department / Budgeted – Encumbered from 2010 Budget – 100% funded by American Recovery Reinvestment Act of 2009)

Approved 7 in favor, 0 opposed / Resolution No. R-50-12

- G. Resolution accepting completion of and authorizing final payment for the renovation and additions to the transit facilities located at 6821 Jenny Lind Road, Project No. 10-02 (\$118,915.57 / Transit Department / Budgeted – Encumbered from 2010 Budget – 100% funded by American Recovery Reinvestment Act of 2009)

Approved 7 in favor, 0 opposed / Resolution No. R-51-12

- H. Resolution authorizing the Mayor to execute Amendment No. 1 to Authorization No. 2 with Morrison-ShIPLEY Engineers, Inc. for engineering services for Zero Street Outfall Sewer Improvements Phase II (\$10,590.00 / Utility Department / Budgeted - 2009 Sales Tax Bonds)

Approved 7 in favor, 0 opposed / Resolution No. R-52-12

- I. Resolution accepting construction as complete and authorizing final payment to Forsgren, Inc. for the Zero Street Outfall Sewer Improvements

Phase II (\$173,148.05 / Utility Department / Budgeted - 2009 Sales Tax Bonds)

Approved 7 in favor, 0 opposed / Resolution No. R-53-12

- J. Resolution authorizing the Mayor to execute a joint use agreement with Arkansas Valley Electric Company in connection with city sewer lines at Chaffee Crossing

Approved 7 in favor, 0 opposed / Resolution No. R-54-12

- K. Resolution authorizing the Mayor to execute a deed and access easement with property owner on the Lake Fort Smith Water Treatment Plant property

Approved 7 in favor, 0 opposed / Resolution No. R-55-12

- L. Resolution authorizing the Mayor to execute Authorization No. 4 with CDM Smith, Inc. for providing engineering services associated with the Mill Creek Wastewater Pump Station Wet Weather Improvements (\$624,639.00 / Utility Department / Budgeted - 2009 Sales Tax Bond)

Approved 7 in favor, 0 opposed / Resolution No. R-56-12

- M. Resolution authorizing Change Order No. 7 with Crossland Heavy Contractors, Inc. for construction of the Lake Fort Smith Water Treatment Plant – Contract 3 (\$47,029.00 / Utility Department / Budgeted – 2008 Revenue Bonds)

Approved 7 in favor, 0 opposed / Resolution No. R-57-12

- N. Resolution authorizing the Mayor to execute Amendment No. 1 to the agreement with Mickle Wagner Coleman, Inc. providing engineering services associated with the Lake Fort Smith Water Transmission Line Corridor (\$1,195,800.00 / Utility Department / Budgeted – 2008 Revenue Bonds)

Approved 7 in favor, 0 opposed / Resolution No. R-58-12

- O. Resolution authorizing the Mayor to execute Amendment No. 1 to Authorization No. 1 with RJN Group, Inc. for providing engineering services associated with the Basin 11-1 Sewer Improvements (\$28,462.00 / Utility Department / Budgeted – 2009 Sales Tax Bond)

Approved 7 in favor, 0 opposed / Resolution No. R-59-12

- P. Ordinance declaring an exceptional situation and waiving the requirements for competitive bidding for the lease purchase of radio communication equipment and authorizing the Mayor and City Administrator to negotiate and execute all necessary lease documents regarding said agreement

Approved 7 in favor, 0 opposed / Ordinance No. 26-12

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

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

Information available by viewing the meeting minutes on the City website

**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

7:35 p.m.