

Mayor – Sandy Sanders

City Administrator – Carl Geffken

City Clerk – Sherri Gard

Board of Directors

Ward 1 – Keith Lau

Ward 2 – Andre’ Good

Ward 3 – Mike Lorenz

Ward 4 – George Catsavis

At Large Position 5 – Tracy Pennartz

At Large Position 6 – Kevin Settle

At Large Position 7 – Don Hutchings

AGENDA ~ Summary

Fort Smith Board of Directors

REGULAR MEETING

August 16, 2016 ~ 6:00 p.m.

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

***THIS MEETING IS BEING TELECAST LIVE ON THE GOVERNMENT ACCESS CHANNEL 214
AND ONLINE AT <http://www.ustream.tv/channel/city-of-fort-smith-board-of-directors-meetings>***

INVOCATION & PLEDGE OF ALLEGIANCE

Director Don Hutchings

ROLL CALL

- All present, except Director Tracy Pennartz
- Mayor Sandy Sanders presiding

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 214, the City website or <http://www.ustream.tv/channel/city-of-fort-smith-board-ofdirectors-meetings>

APPROVE MINUTES OF THE AUGUST 2, 2016 REGULAR MEETING

APPROVED as written

ITEMS OF BUSINESS:

1. Ordinance amending Ordinance No. 69-13 to adjust the Transit Department rate schedule to include student pass and other incentives
APPROVED 6 in favor, 0 opposed / Ordinance No. 46-16
2. Ordinance amending the 2016 Budget
APPROVED 6 in favor, 0 opposed / Ordinance No. 47-16

3. Resolution of the Board of Directors of the city of Fort Smith certifying local government endorsement of business to participate in the Tax Back Program (as authorized by Section 15-4-2706(d) of the Consolidated Incentive Act of 2003) (*Elite Comfort Solutions*)
APPROVED 6 in favor, 0 opposed / Resolution No. R-112-16
4. Resolution authorizing the acquisition of real property interests for the Basin 17 Sewer Improvements, Project No. 12-14-ED2 (\$2,000.00 / *Utility Department / Budgeted – 2014 Sales and Use Tax and 2015 Revenue Bonds*) ● ◆
APPROVED 6 in favor, 0 opposed / Resolution No. R-113-16
5. Resolution accepting the project as complete and authorizing final payment to Today's Office, Inc. for the renovation and furnishings of the Library Annex Building for use as office space (\$9,350.29 / *Utility Department / Budgeted – 2015 Revenue Bonds*) ● ◆
APPROVED 6 in favor, 0 opposed / Resolution No. R-114-16
6. Resolution accepting the project as complete and authorizing final payment to MISSCO Contract Sales, LLC for the renovation and furnishings of the Library Annex Building for use as office space (\$26,718.64 / *Utility Department / Budgeted – 2015 Revenue Bonds*) ● ◆
APPROVED 6 in favor, 0 opposed / Resolution No. R-115-16
7. Resolution accepting the project as complete and authorizing final payment to Innerplan, Inc. for the renovation and furnishings of the Library Annex Building for use as office space (\$41,418.33 / *Utility Department / Budgeted – 2015 Revenue Bonds*) ● ◆
APPROVED 6 in favor, 0 opposed / Resolution No. R-116-16
8. Resolution authorizing the purchase of 2 (two) jet vacuum trucks (\$649,630.24 / *Utility Department / Budgeted – 2015 Revenue Bonds*) ●
APPROVED 6 in favor, 0 opposed / Resolution No. R-117-16
9. Consent Agenda
 - A. Resolution accepting completion of and authorizing final payment to Crawford Construction for construction of the ball field improvements at Martin Luther King Jr. Park (\$100,906.25 / *Parks Department / Budgeted – 1/8% Sales and Use Tax & Arkansas Department of Parks & Tourism Grant*) ◆
APPROVED 6 in favor, 0 opposed / Resolution No. R-118-16
 - B. Resolution authorizing final payment to Raggio Excavating, Inc. for construction of the West River Front Trail (\$35,443.88 / *Parks Department / Budgeted – 1/8% Sales and Use Tax*) ◆
APPROVED 6 in favor, 0 opposed / Resolution No. R-119-16

- C. Resolution accepting the project as complete and authorizing final payment to Goodwin & Goodwin, Inc. for the Lake Fort Smith and Lee Creek fluoride feed systems (\$138,349.73 / *Utility Department / Budgeted – Reimbursement from Delta Dental*) ♦
APPROVED 6 in favor, 0 opposed / Resolution No. R-120-16
- D. Resolution accepting the project as complete and authorizing final payment to Forsgren, Inc. for construction of the Wheeler Avenue Sanitary Sewer Replacement (\$27,082.02 / *Utility Department / Budgeted – 2015 Revenue Bonds*) ♦
APPROVED 6 in favor, 0 opposed / Resolution No. R-121-16
- E. Resolution authorizing partial payment to Forsgren, Inc. for the construction of Jenny Lind Road and Ingersoll Avenue Widening Project, AHTD Job 040471, Project No. 07-01-A (\$768,474.64 / *Engineering Department / Budgeted – Sales Tax Program Fund*) ♦
APPROVED 6 in favor, 0 opposed / Resolution No. R-122-16
- F. Resolution to accept the bid and authorize a contract for the 2014 Drainage Improvements, Phase A1, Project No. 14-06-A1 (\$767,468.90 / *Engineering Department / Budgeted – Sales Tax Program Fund*) ♦
APPROVED 6 in favor, 0 opposed / Resolution No. R-123-16
- G. Resolution accepting completion of and authorizing final payment for the construction of Street Overlays / Reconstruction, Phase A, Project No. 15-03-A (\$264,035.56 / *Engineering Department / Budgeted – Sales Tax Program Fund*) ♦
APPROVED 6 in favor, 0 opposed / Resolution No. R-124-16
- H. Resolution accepting completion of and authorizing final payment for the construction of Street Overlays / Reconstruction, Phase C, Project No. 15-03-C (\$53,027.03 / *Engineering Department / Budgeted – Sales Tax Program Fund*) ♦
APPROVED 6 in favor, 0 opposed / Resolution No. R-125-16
- I. Resolution accepting completion of and authorizing final payment for the construction of 2015 Street Striping Replacement, Project No. 15-85-A (\$3,123.22 / *Engineering Department / Budgeted – Sales Tax Program Fund*)
APPROVED 6 in favor, 0 opposed / Resolution No. R-126-16
- J. Resolution authorizing joint use agreement and agreement for pipeline crossing with Fort Smith Railroad Company regarding McKinley Avenue/Ingersoll Avenue Improvements, a part of Jenny Lind Road and Ingersoll Avenue Widening Project, AHTD Job 040471, City of Fort Smith Job 07-01-A (\$1,500.00 / *Engineering Department / Budgeted – Sales Tax Program Fund*)
APPROVED 6 in favor, 0 opposed / Resolution No. R-127-16

10. Ordinance amending Section 7-30 of the Fort Smith Municipal Code regarding donation of grave space(s) and waiver of interment fees at Oak Cemetery
APPROVED 6 in favor, 0 opposed as revised to correct a date included in the first whereas within the ordinance / Ordinance No. 48-16

OFFICIALS FORUM ~ presentation of information requiring no official action

(Section 2-36 of Ordinance No. 24-10)

- Mayor
- Directors
- City Administrator

Information available by viewing rebroadcast of the meeting on the City Access Channel 214, the City website or <http://www.ustream.tv/channel/city-of-fort-smith-board-ofdirectors-meetings>

ADJOURN

6:22 p.m.

AN ORDINANCE AMENDING ORDINANCE NO. 69-13 TO ADJUST THE TRANSIT DEPARTMENT RATE SCHEDULE TO INCLUDE STUDENT PASS AND OTHER INCENTIVES

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The Transit Department Services Rate Schedule is hereby amended as stated in this section.

Fort Smith Transit Services Rate Schedule:

<i>Fixed Route Trip</i>	\$1.25
<i>Fixed Route Trip - Age 65+ and Certified Disabled</i>	\$.50
<i>Fixed Route Trip - Medicare Recipients</i>	\$.50
<i>Monthly Pass (Fixed Route)</i>	\$35.00
<i>Student Monthly Pass – Age 18 and Under With Verified Enrollment (Fixed Route)</i>	\$20.00
<i>Veteran Pass - With Verified Service Connected Disability (Fixed Route)</i>	FREE
<i>Demand Response Trip</i>	\$2.50
<i>Additional Service Trip</i>	\$3.00
<i>(Demand Response Service When Fixed Routes Are Closed)</i>	
<i>Bulk Ticket Sales - (32 - \$1.25 Tickets)</i>	\$35.00
<i>Children Age 7 and Under</i>	FREE
<i>Transfers</i>	FREE
<i>Free Ride Days – 8 Days Per Year</i>	
<i>Charter Service (City of Fort Smith Departments Only):</i>	
<i>First Hour (\$25.00 for Admin. + \$70.00 Service Hour)</i>	\$95.00
<i>Each Additional Hour</i>	\$70.00
<i>Private Charter Service (All Other Entities):</i>	
<i>First Hour (Includes Local Deadhead Travel)</i>	\$200.00
<i>Each Additional Hour</i>	\$100.00
<i>All charters require a minimum seven (7) day advance reservation notice and are subject to federal approval.</i>	

SECTION 2: Emergency Clause. It is hereby determined that the imminent beginning of the new school year creates a time emergency for commencement of the effectiveness of the Transit Department Services Rate Schedule amendments adopted by Section 1 of this Ordinance; therefore, in order to preserve the health, safety and welfare of the inhabitants of this City, this Ordinance shall be in full force and effectiveness from its adoption.

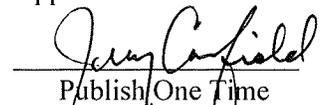
This Ordinance adopted this 16th day of August, 2016.

APPROVED:


Mayor

ATTEST:


City Clerk

Approved As To Form:


Publish One Time

AN ORDINANCE AMENDING THE 2016 BUDGET

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS THAT:

WHEREAS, the Board of Directors approved the 2016 budget on December 1, 2016 by Ordinance No. 88-15; and

WHEREAS, the City of Fort Smith Administration finds it necessary to amend the 2016 budget as follows:

<u>Account:</u>	<u>From:</u>	<u>To:</u>
County Sales Tax 3216-000-0101	\$16,536,000	\$16,361,000
¼% City Sales Tax 3216-012-0101	5,491,300	5,227,000
Street Sales Tax 3216-000-1105	21,537,200	20,887,000
Bond Sales Tax 3216-000-4112	16,152,900	15,657,000
Safety & Risk 4109-101-0000	65,000	60,450
City Clerk 4105-219-0000	88,000	68,000
Planning & Zoning 4106-101-0000	462,530	436,305
Police Fuel 4704-203-0000	300,000	262,500
Police Contracts 4704-219-0000	298,000	248,000
Fire Fuel 4802-203-0000	125,000	67,500

NOW THEREFORE, the 2016 budget is hereby amended as detailed above.

PASSED AND APPROVED THIS 16th DAY OF AUGUST, 2016.

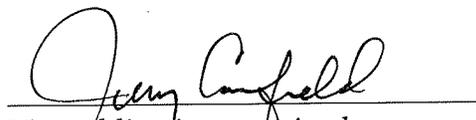
APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


No publication required

Tax Back

Resolution



RESOLUTION No. *R-112-16*

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF BUSINESS TO PARTICIPATE IN THE TAX BACK PROGRAM (AS AUTHORIZED BY SECTION 15-4-2706(d) OF THE CONSOLIDATED INCENTIVE ACT OF 2003).

WHEREAS, in order to be considered for participation in the Tax Back Program, the local government must endorse a business to participate in the Tax Back Program; and

WHEREAS, the local government must authorize the refund of local sales and use taxes as provided in the Consolidated Incentive Act of 2003; and

WHEREAS, said endorsement must be made on specific form available from the Arkansas Economic Development Commission; and

WHEREAS, Elite Comfort Solutions, located at 4921 State Line Road, Fort Smith, Arkansas has sought to participate in the program and more specifically has requested benefits accruing from construction and/or expansion of the specific facility; and

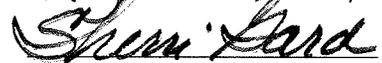
WHEREAS, Elite Comfort Solutions has agreed to furnish the local government all necessary information for compliance.

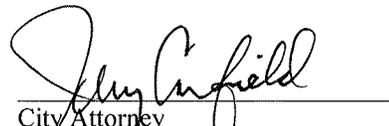
NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

1. Elite Comfort Solutions be endorsed by the Board of Directors of the City of Fort Smith for benefits from the sales & use tax refunds as provided by Section 15-4-2706(d) of the Consolidated Incentive Act of 2003.
2. **The Department of Finance and Administration is authorized to refund local sales and use taxes to Elite Comfort Solutions.**
3. This resolution shall take effect immediately.


Mayor

Date Passed: *August 16, 2016*

Attest: 
City Clerk


City Attorney
Approved as to Form

A RESOLUTION AUTHORIZING THE ACQUISITION
OF REAL PROPERTY INTERESTS FOR THE BASIN 17
SEWER IMPROVEMENTS, PROJECT NO. 12-14-ED2

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT
SMITH, ARKANSAS, that:

SECTION 1: The offer made by Michael D. Collins and Deann G. Collins to convey the Tract
19 property interests for the captioned project for a consideration of \$2,000.00 is hereby accepted.

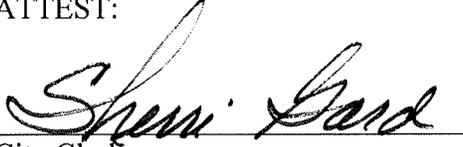
SECTION 2: The City Administrator and the City Attorney are hereby authorized to
take any and all necessary action to effectuate the Agreement accepted by Section 1 of this
Resolution.

This Resolution adopted this 16th day of August 2016.

APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


npr

RESOLUTION ACCEPTING THE PROJECT AS COMPLETE AND AUTHORIZING FINAL PAYMENT TO TODAY'S OFFICE, INC., FOR THE RENOVATION AND FURNISHINGS OF THE LIBRARY ANNEX BUILDING FOR USE AS OFFICE SPACE

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, that:

SECTION 1: The installation of Group F lobby furniture for the Renovation and Furnishings of the Library Annex Building for use as office space, Project 15-11, is accepted as complete.

SECTION 2: Final payment to Today's Office, Inc., in the amount of \$9,350.29, is hereby approved.

This Resolution adopted this 16th day of August 2016.

APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


npr

RESOLUTION ACCEPTING THE PROJECT AS COMPLETE AND AUTHORIZING FINAL PAYMENT TO MISSCO CONTRACT SALES, LLC FOR THE RENOVATION AND FURNISHINGS OF THE LIBRARY ANNEX BUILDING FOR USE AS OFFICE SPACE

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, that:

SECTION 1: The installation of Group C, Group D, and Group G storage, meeting tables, and break room tables for the Renovation and Furnishings of the Library Annex Building for use as office space, Project 15-11, is accepted as complete.

SECTION 2: Final payment to MISSCO Contract Sales, LLC in the amount of \$26,718.64 is hereby approved.

This Resolution adopted this 16th day of August 2016.

APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


npr

RESOLUTION ACCEPTING THE PROJECT AS COMPLETE AND AUTHORIZING FINAL PAYMENT TO INNERPLAN, INC., FOR THE RENOVATION AND FURNISHINGS OF THE LIBRARY ANNEX BUILDING FOR USE AS OFFICE SPACE

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, that:

SECTION 1: The installation of Group A and Group H task chairs and break room chairs for the Renovation and Furnishings of the Library Annex Building for use as office space, Project 15-11, is accepted as complete.

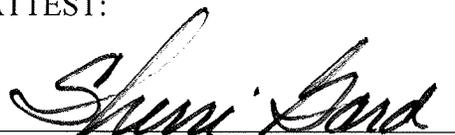
SECTION 2: Final payment to Innerplan, Inc., in the amount of \$41,418.33, is hereby approved.

This Resolution adopted this 16th day of August 2016.

APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


npr

RESOLUTION NO. R-117-16

RESOLUTION AUTHORIZING THE PURCHASE OF
2 (TWO) JET VACUUM TRUCKS

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY
FORT SMITH, ARKANSAS, THAT:

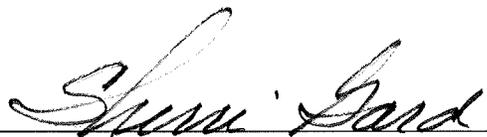
The bid, as indicated by enclosure for the purchase of 2 (two) jet vacuum
trucks from TCS Truck Component Services for \$649,630.24, is accepted.

This Resolution adopted this 16th day of August, 2016.

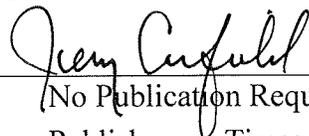
APPROVED:


MAYOR

ATTEST:

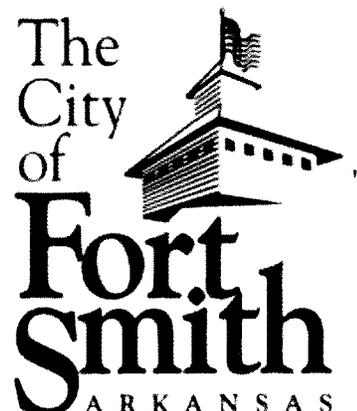

CITY CLERK

Approved as to form:


 No Publication Required
 Publish ___ Times

Interoffice Memorandum

TO: Carl Geffken, City Administrator
COPY TO: Robert Roddy, Interim Director of Utilities
FROM: Alie Bahsoon, Purchasing Manager *AB*
SUBJECT: Purchase of jet vacuum trucks
DATE: August 8, 2016



Bid Number: Bid No. 5611-MW-BA

In December of 2005, the Board of Directors approved Ordinance 93-05, thereby authorizing the city to participate in the State Cooperative Purchasing program. This process has enabled us to take advantage of other negotiated contracts that the State of Arkansas currently participates in.

One of these contracts is the National Joint Powers Alliance (NJPA), a national municipal contracting agency offering national contract purchasing solutions by facilitating and awarding national competitively bid contracts. Because of their contract, local governments nationwide are permitted to purchase through their cooperative purchasing program.

The Utilities Department has budgeted \$900,000 for the purchase of two new jet vacuum trucks for which funding was identified within the 2015 revenue bonds. Since multiple vendors participate in the NJPA contract, we solicited bids of which the bid tabulation is attached for your review. The lowest bid from ICM Inc. did not meet bid specifications and we are therefore recommending the second lowest bid from TCS Truck Component Services for \$649,630.24. You will find attached a memorandum from the Utilities Department regarding the bid recommendations as well.

Please be advised that this purchase fulfills all of the purchasing obligations as mandated by both state and local purchasing requirements; I am therefore recommending that the enclosed resolution is approved.

Please let me know if should require any additional information.

Memorandum

July 29, 2016

To: Alie Bahsoon, Purchasing Manager
From: Michael Wegrzyn, Sewer Systems Program Manager

Re: Jet Vacuum Truck Bid (No. 5611-MW-BA)

Dear Mr. Bahsoon,

The sewer system program is requesting two (2) new jet trucks to assist in compliance with the Consent Decree. These assets are on the approved CIP for 2016. The Sewer Program is not recommending taking the lowest bid for the following reasons.

REJECTED lowest bid: The lowest bid was ICM at \$315,933 each, and they **failed to meet** the minimum bid specifications. These exceptions are summarized below:

- 1) Section III #2, 4, & 5 changed specs from front to rear,
- 2) Section IV, Changed from front to rear hose reel,
- 3) Section V. water tank minimum of 1500 gallons, they supplied 1450 and unable to provide aluminum construction,
- 4) Section VI changed from front to rear,
- 5) Section VII changed from front to rear, and changed the minimum reach from 24 feet to 23 feet,
- 6) Section VIII could not comply with #4 (#4 reads: The hose reel assembly shall be mounted into both frame rails of the chassis not requiring any additional support), and
- 7) Furthermore, there are operational safety and ergonomic concerns with the design.

Acceptable: At \$8,882 more, next lowest bid was TCS Truck Components (Vac All) at \$324,815 each. This bid met all requirements and exceeded the minimum specifications in a few areas.

Recommendation: I would like the City of Fort Smith to invest in two (2) Vac All (lowest acceptable bid) Jet Vacuum Trucks.

Respectfully,
Michael Wegrzyn

C: Jimmie Johnson

Tabulation of Bids - City of Fort Smith					
Jet Vacuum Trucks-Bid No. 5611-MW-BA					
Vendor	Scruggs Equipment Memphis, TN	Super Products LLC New Berlin, WI	ICM Inc. Jacksonville, AR	TCS Truck Component Services Strafford, MO	
Year	2017	2016	2017	2016	
Make	Peterbilt	Camel	Peterbilt	Peterbilt	
Model	348SBA	1200	348	365 AJV1015 or 348 AJVR	
Body Make & Model	2109 PD-Vactor	Dump Body unloading	HiVac B10-1450	Vac All	
Delivery Terms	150-180 days	150-180 days	180 days	180 days	
Cost (Each)	\$368,724.59	\$343,195	\$315,993.22 *	\$324,815.12 ✓	
NJPA Contract	022014-FSC	022014	022014-HVC	022014-GRD	
Servicing Shops	Memphis & Ft. Smith	Pasadena, TX	Jacksonville, AR	Fort Smith	

✓ Recommended Bid Award

* Does not meet bid specifications (see memorandum from Utilities Department)

RESOLUTION NO. R-118-16

RESOLUTION ACCEPTING COMPLETION OF AND
AUTHORIZING FINAL PAYMENT TO CRAWFORD
CONSTRUCTION FOR CONSTRUCTION OF THE
BALLFIELD IMPROVEMENTS AT MARTIN LUTHER KING, JR. PARK

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH,
ARKANSAS THAT:

SECTION 1: The City of Fort Smith hereby accepts construction of the above
captioned project as complete.

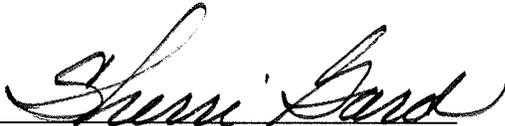
SECTION 2: Final payment is hereby authorized in the amount of \$100,906.25 to
the contractor Crawford Construction for the above captioned project.

This Resolution adopted this 16th day of August, 2016.

APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM


npr

RESOLUTION NO. R-119-16

RESOLUTION AUTHORIZING FINAL PAYMENT
TO RAGGIO EXCAVATING, INC. FOR CONSTRUCTION
OF THE WEST RIVER FRONT TRAIL

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH,
ARKANSAS THAT:

Final payment is hereby authorized in the amount of \$35,443.88 to the contractor
Raggio Excavating, Inc. for the above captioned project.

This Resolution adopted this 16th day of August, 2016.

APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM

 npr

RESOLUTION ACCEPTING THE PROJECT AS COMPLETE AND AUTHORIZING FINAL
PAYMENT TO GOODWIN & GOODWIN, INC., FOR THE
LAKE FORT SMITH AND LEE CREEK FLUORIDE FEED SYSTEMS

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT
SMITH, ARKANSAS, that:

SECTION 1: The bid of Goodwin & Goodwin, Inc., for the construction of the Lake Fort
Smith and Lee Creek Fluoride Feed Systems, Project 14-10-C1, is hereby accepted.

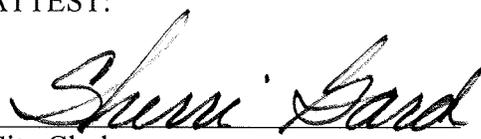
SECTION 2: Final payment to Goodwin & Goodwin, Inc., in the amount of
\$138,349.73, is hereby approved.

This Resolution adopted this 16th day of August 2016.

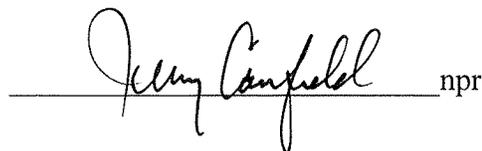
APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


npr

RESOLUTION ACCEPTING THE PROJECT AS COMPLETE AND AUTHORIZING
FINAL PAYMENT TO FORSGREN, INC. FOR CONSTRUCTION OF THE
WHEELER AVENUE SANITARY SEWER REPLACEMENT

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT
SMITH, ARKANSAS, that:

SECTION 1: The construction of the Wheeler Avenue Sanitary Sewer Replacement,
Project Number 15-15-C1, is accepted as complete.

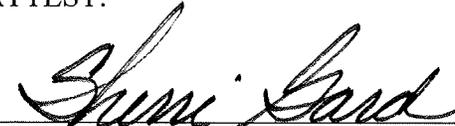
SECTION 2: Final payment to Forsgren, Inc., in the amount of \$27,082.02, is hereby
approved.

This Resolution adopted this 16th day of August 2016.

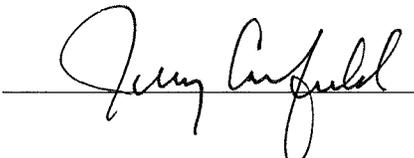
APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:

 npr

RESOLUTION R-122-16

A 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

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

Payment in the amount of \$768,474.64 for Periodic Pay Estimate No. 5 to Forsgren, Inc., is hereby approved for the construction of Jenny Lind Road and Ingersoll Avenue Widening Project, AHTD Job 040471, City of Fort Smith Project No. 07-01-A.

This resolution adopted this 16th day of August, 2016.

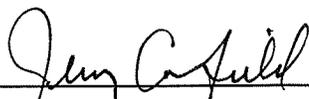
APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to Form


 No Publication Required

RESOLUTION R-12346

**A RESOLUTION TO ACCEPT THE BID AND AUTHORIZE A
CONTRACT FOR THE 2014 DRAINAGE IMPROVEMENTS, PHASE A1
PROJECT NO. 14-06-A1**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The bid of Kraus Construction Company, LLC, received August 2, 2016 for the 2014 Drainage Improvements, Phase A1, Project No. 14-06-A1, in the amount of \$767,468.90, be accepted.

SECTION 2: The Mayor is authorized to execute a contract with Kraus Construction Company, LLC, subject to the terms set forth in Section 1 above.

SECTION 3: Payment for construction authorized by Section 1 is hereby authorized from the Sales Tax Fund (1105).

This resolution adopted this 16th day of August, 2016.

APPROVED:

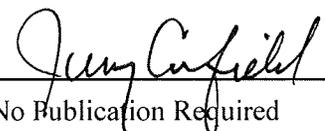

Mayor

ATTEST:



City Clerk

Approved as to Form



 No Publication Required

RESOLUTION R-124-16

**A RESOLUTION ACCEPTING COMPLETION OF AND
AUTHORIZING FINAL PAYMENT FOR THE CONSTRUCTION OF
2015 STREET OVERLAY / RECONSTRUCTION, PHASE A
PROJECT NO. 15-03-A**

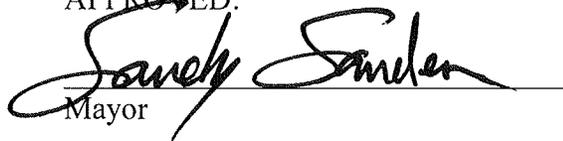
BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The City of Fort Smith hereby accepts the construction of 2015 Street Overlay / Reconstruction, Project 15-03-A as complete.

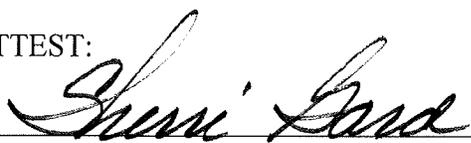
SECTION 2: Final payment is hereby authorized in the amount of \$264,035.56 to the contractor, Forsgren, Inc., for the 2015 Street Overlay / Reconstruction, Phase A, Project No. 15-03-A.

This Resolution adopted this 16th day of August, 2016.

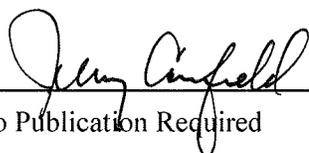
APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to Form


 No Publication Required

RESOLUTION R-125-16

**A RESOLUTION ACCEPTING COMPLETION OF AND
AUTHORIZING FINAL PAYMENT FOR THE CONSTRUCTION OF
2015 STREET OVERLAY / RECONSTRUCTION, PHASE C
PROJECT NO. 15-03-C**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The City of Fort Smith hereby accepts the construction of 2015 Street Overlay / Reconstruction, Project 15-03-C as complete.

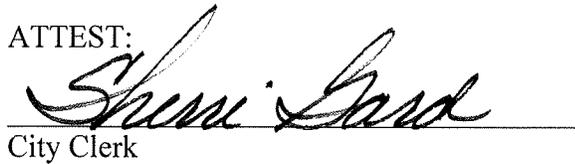
SECTION 2: Final payment is hereby authorized in the amount of \$53,027.03 to the contractor, Forsgren, Inc., for the 2015 Street Overlay / Reconstruction, Phase C, Project No. 15-03-C.

This Resolution adopted this 16th day of August, 2016.

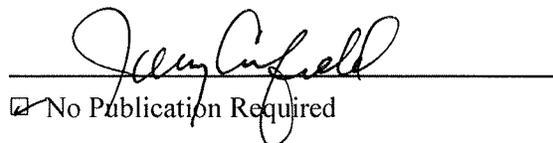
APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to Form


 No Publication Required

RESOLUTION R-126-16

**A RESOLUTION ACCEPTING COMPLETION OF AND
AUTHORIZING FINAL PAYMENT FOR THE CONSTRUCTION OF
2015 STREET STRIPING REPLACEMENT
PROJECT NO. 15-85-A**

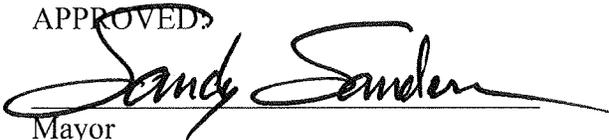
BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The City of Fort Smith hereby accepts the construction of the 2015 Street Striping Replacement, Project No. 15-85-A, as complete.

SECTION 2: Final payment is hereby authorized in the amount of \$3,123.22 to the contractor Time Striping, Inc. for the 2015 Street Striping Replacement, Project No. 15-85-A.

This resolution adopted this 16th day of August, 2016.

APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to Form


 No Publication Required

RESOLUTION NO. R-127-16

A RESOLUTION AUTHORIZING JOINT USE AGREEMENT AND AGREEMENT FOR PIPELINE CROSSING WITH FORT SMITH RAILROAD COMPANY REGARDING MCKINLEY AVENUE/INGERSOLL AVENUE IMPROVEMENTS, A PART OF JENNY LIND ROAD AND INGERSOLL AVENUE WIDENING PROJECT, AHTD JOB 040471, CITY OF FORT SMITH JOB 07-01-A

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

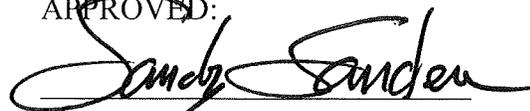
SECTION 1: There is hereby approved the attached Joint Use Agreement and Agreement for Pipeline Crossing between the City of Fort Smith and Fort Smith Railroad Company regarding the joint use of certain railroad crossing right-of-way in conjunction with the McKinley Avenue improvements, a part of Jenny Lind Road and Ingersoll Avenue Widening Project, AHTD Job 040417, City of Fort Smith Job 07-01-A.

SECTION 2: The Mayor is hereby authorized to execute, his signature being attested by the City Clerk, the attached Joint Use Agreement and the attached Agreement for Pipeline Crossing.

SECTION 3: The City Administrator is authorized to cause to be paid to Fort Smith Railroad Company a one time administrative fee of \$1,500.00 and a five year re-occurring permit fee of \$1,500.00 for the Agreement for Pipeline Crossing.

This Resolution adopted this 16th day of August, 2016.

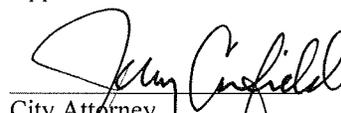
APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to form:


City Attorney
No Publication Required

ORDINANCE NO. 48-16

AN ORDINANCE AMENDING SECTION 7-30 OF THE FORT SMITH MUNICIPAL CODE REGARDING DONATION OF GRAVE SPACE(S) AND WAIVER OF INTERMENT FEES AT OAK CEMETERY

Whereas, Sebastian County Sheriff Department Deputy William "Bill" Cooper was killed in the line of duty on Wednesday, August 10, 2016; and,

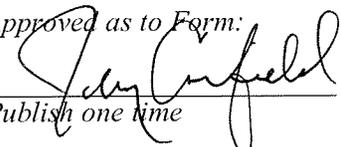
Whereas, Deputy Cooper's family has requested he be interred in Oak Cemetery; and,

Whereas, the City of Fort Smith recognizes and honors the sacrifices made by sworn officers of the Fort Smith Police Department, Fort Smith Fire Department and Sebastian County Sheriff's Department, as well as the sacrifices made by their family members;

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: Section 7-30 of the Fort Smith Municipal Code is hereby amended to include the following:

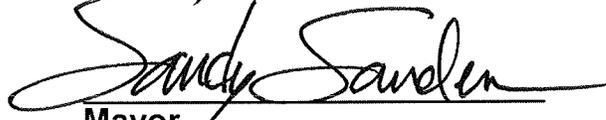
- (c) *At the discretion of the City Administrator, the City of Fort Smith will donate one grave plot (and waive interment fees) for any Fort Smith sworn Police Officer or Firefighter or sworn officer of the Sebastian County Sheriff's Department who is killed by action of another while on active duty and in the line of duty or who dies from injuries so sustained within 30 days. A second grave plot may be donated for the spouse, a parent or significant other of the deceased if requested by the estate of the deceased.*

Approved as to Form:

Publish one time

SECTION 2: Emergency clause. It is hereby determined that the above provision is to accommodate the families of fallen, sworn officers of the Fort Smith Police Department, Fort Smith Fire Department and Sebastian County Sheriff's Department, who serve and protect the health, safety and welfare of the city of Fort Smith and its inhabitants; therefore, an emergency is declared and this Ordinance shall be in full force and effective immediately upon passage.

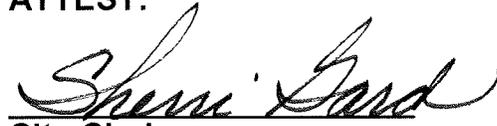
PASSED AND APPROVED this 16th day of August, 2016.

APPROVED:



Mayor

ATTEST:



City Clerk