

MINUTES OF THE BOARD OF DIRECTORS REGULAR MEETING

TUESDAY ~ JANUARY 2, 2018 ~ 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, Mike Lorenz, George Catsavis, Kevin Settle, Tracy Pennartz, and Don Hutchings; absent - Andre' Good. 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.

Director Settle advised that after the performance evaluation of City Administrator Carl Geffken at the December 19, 2017 regular meeting, it was assumed that no action was required to ensure he receive the same 2.5% Cost-of-Living Adjustment (COLA) as all other City employees. Unfortunately, a motion is required to authorize same.

Settle, seconded by Pennartz, moved to add an item on the agenda to authorize a 2.5% COLA for City Administrator Carl Geffken, and that such be effective on the same date as all other City employees COLA for 2018. Prior to the vote, Mayor Sanders announced the aforementioned placement requires consent of the entire membership of the Board citing Section 2-31(5) of the Fort Smith Municipal Code, which is provided below:

Sec. 2-31. - Formulation of agenda.

- (5) *An item of business requiring immediate action by the board may be placed on the agenda within forty-eight (48) hours or at the meeting of consideration by notice from all seven (7) members of the board to the city clerk pursuant to subsection (c) above or by unanimous vote of the entire membership of the board. An absent member of the board may express consent to consideration by those present in writing, or by facsimile or electronic mail communicated to the city clerk.*

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Mayor Sanders advised Director Good expressed consent to the requested placement via an email to the City Clerk prior to the meeting.

The motion remaining on the floor, with the aforementioned written consent of Director Good and the members present all voting affirmatively, the Mayor declared the motion carried and the item was placed on the agenda after consideration of Item No. 5.

The minutes of the December 19, 2017 regular meeting was presented for approval. Hutchings, seconded by Lorenz, moved approval of the minutes as written. The members present all voting aye, the Mayor declared the motion carried.

Item No. 1 was an ordinance rezoning identified property and amending the zoning map (*from Residential Single-Family Duplex Medium Density (RSD-2) to a Planned Zoning District by classification located at 400 North Waldron Road, 5403 Park Avenue and 5505 Park Avenue*).

Administrator Geffken advised the applicant has requested consideration of the proposed ordinance be tabled for sixty (60) days.

Settle, seconded by Hutchings, moved to table consideration of the item for sixty (60) days as requested. There being no Director commenting and the members present all voting affirmatively, the Mayor declared the motion carried.

Item No. 2 was an ordinance to amend Article IV, Division 3 of the Fort Smith Municipal Code to amend Section 24-150 and to add Section 24-155 regarding metered parking rates, penalties, payment ~ *Tabled for up to 90 days at the October 3, 2017 regular meeting pending review by the Central Business Improvement District and Downtown Merchants Association / Discussed at the December 12, 2017 study session*

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Administrator Geffken briefed the Board on the item as discussed at the December 12, 2017 study session.

Due to the absence of Director Good, Lorenz moved to table consideration of the item to the January 16, 2018 regular meeting. The motion was seconded by Director Catsavis. There being no Directors commenting and the members present all voting affirmatively, the Mayor declared the motion carried.

Item No. 3 was a resolution authorizing Change Order No. 1 with Forsgren, Inc. for on-call contractual services for Annual Sewer Collection System Improvements (\$186,991.96 / Utilities Department / Budgeted - Sewer Revenue Fund) ♦ Future Fort Smith Item • Consent Decree Item.

Utility Department Deputy Director of Systems Jimmie Johnson briefed the Board on the item advising the proposed authorizes a change order to cover quantity over runs for granular backfill, flowable fill, and asphalt; sidewalk removal and replacement; and, the removal and replacement of a metal out-building to accommodate the subject project.

Settle, seconded by Hutchings, moved adoption of the resolution. Prior to the vote, Director Pennartz questioned the replacement location of the metal out-building whereby Mr. Johnson advised such was relocated 350 feet from the subject line.

The motion remaining on the floor and the members present all voting affirmatively, the Mayor declared the motion carried and the resolution was adopted and given Resolution No. R-1-18.

Item No. 4 was a resolution accepting the project as complete and authorizing final payment to Forsgren, Inc. for on-call contractual services for Annual Sewer Collection System Improvements (\$188,071.87 / Utilities Department / Budgeted - Sewer Revenue Fund) ♦ Future Fort Smith Item • Consent Decree Item.

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Mr. Johnson briefed the Board on the item advising such is a companion item to Item No. 3; however, the proposed accepts the project as complete and authorizes final payment for same.

Settle, seconded by Lorenz, moved adoption of the resolution. There being no Director commenting and the members present all voting affirmatively, the Mayor declared the motion carried and the resolution was adopted and given Resolution No. R-2-18.

Item No. 5 was a resolution authorizing the Mayor to execute Amendment No. 2 to the software license and services agreement with Tyler Technologies, Inc. for the Enterprise Resource Planning (ERP) System (*\$20,910.00 / Various Departments / Budgeted - Various Departments*)

Director of Information Technology Russell Gibson briefed the Board on the item advising the proposed amendment provides for the following:

- ▶ One (1) user license for the EnerGov Report Toolkit, which provides in-house report writers the ability to create custom reports without paying additional custom report fees. The one-time, software license fee for the Report Toolkit is \$5,000; however, such is being fully discounted (100%) by Tyler. The Report Toolkit will require a yearly maintenance fee of \$1,000.
- ▶ Ten (10) additional Named User licenses for the EnerGov Permitting & Land Management (PLM) Suite. The one-time, total software license fees for the aforementioned is \$20,910 with a required yearly maintenance fee of \$6,000. The additional PLM software includes the eReview module and will extend this functionality to users in the Engineering, Utilities, and Fire Departments.

The proposed does not require an additional budget appropriation as the City will utilize unused contract funds for the new licensing and implementation services. Said cost will be offset by hard savings to the project cost already achieved on data conversion savings and project management savings.

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Hutchings, seconded by Lorenz, moved adoption of the resolution. Prior to the vote Director Pennartz requested clarification if the annual cost association with the proposed amendment is \$6,000 or \$7,000. She further requested the maintenance cost expended in 2017; the total number of modules included within the ERP System; and, the anticipated annual operational costs for each module.

Mr. Russell clarified the annual cost associated with the proposed amendment is \$6,000 for the eReview module and \$1,000 for the EnerGov Report Toolkit, i.e. \$7,000 per year.

Administrator Geffken advised the annual anticipated maintenance cost for the new ERP system is \$330,000; however, he clarified the City budgeted \$1.6 million in 2018 to cover the cost for continued services by ArcBest, which is required until the new ERP System is fully operational.

The motion remaining on the floor and the members present all voting affirmatively, the Mayor declared the motion carried and the resolution was adopted and given Resolution No. R-3-18.

Item No. 6 was authorization of a 2.5% Cost-of-Living Adjustment to City Administrator Carl Geffken, to be effective on the same date as all other City employees COLA in 2018, i.e. January 1, 2018 ~ *Placed on agenda by unanimous consent of the Board at the beginning of the meeting (Director Good provided written consent of the placement via email to the City Clerk prior to the meeting) ~*

Pennartz, seconded by Lorenz, moved to authorize same. There being no Board member commenting and the members present all voting affirmatively, the Mayor declared the motion carried.

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

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▶ Mayor Sanders

- Re: 1. Regarding the Bicentennial Events held on December 25th at the National Historic Site, he expressed much appreciation to Sue and Floyd Robinson, Friends of the Fort, Carol Ann Spears, and the Fort Smith Museum of History for their efforts associated with the events. He further extended much gratitude to Directors Settle and Hutchings, who were in attendance, as well as others attending the events.
2. Announced the Arkansas Municipal League Winter Conference will be held next week, January 10 - 12, at the Fort Smith convention center. He also extended much appreciation to Director Settle, who was instrumental in such being held in Fort Smith.

▶ Director Catsavis

Re: Advised several residents have advised of erratic utility billings and requested a brief explanation.

Administrator Geffken advised such could be due to erratic meters, water leaks, estimated meter reads, etc.; however, he requested specific addresses so the matter(s) can be determined and adequately addressed.

There being no further business to come before the Board, Lau moved that the meeting adjourn. The motion was seconded by Lorenz and the members present all voting aye, the Mayor declared the motion carried and the meeting stood adjourned at 6:15 p.m.

APPROVED:


MAYOR

ATTEST:


CITY CLERK