

MINUTES OF THE BOARD OF DIRECTORS REGULAR MEETING

TUESDAY ~ JANUARY 5, 2021 ~ 6:00 P.M.

FORT SMITH CONVENTION CENTER

Fort Smith District Judge Claire Borengasser administered the Oaths of Office to incoming Ward Directors, i.e. Jarred Rego (Ward 1), Andre' Good (Ward 2), Lavon Morton (Ward 3), and George Catsavis (Ward 4), for the term of January 1, 2021 - December 31, 2024.

The meeting was called to order by Mayor George McGill, presiding. Invocation was given by Director Jarred Rego, followed by the Pledge of Allegiance led by Mayor McGill.

On roll call the following members of the Board were all physically present: Directors Jarred Rego, Andre' Good, Lavon Morton, George Catsavis, Kevin Settle, and Neal Martin. Director Robyn Dawson was present via electronic means. The Mayor declared a quorum present.

The Mayor 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 December 15, 2020 regular meeting was presented for approval. Settle, seconded by Morton, moved approval of the minutes as written. The members all voting aye, the Mayor declared the motion carried.

Item No. 1 consisted of the following presentations:

1. Girl Scout Diamonds of Arkansas, Oklahoma and Texas
Girl Scout Haylie Uriarte, Troop 4394, addressed the Board advising online and in-person Girl Scout cookie sales will commence on January 8, 2021 and end January 25, 2021. Delivery of purchased cookies is anticipated the second week of February 2021. Due to COVID-19, there will be "drive-thru

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cookie booths”, which will begin on February 12, 2021. Proceeds from cookie sales assist with providing necessary funding for Girl Scouts to earn badges, community projects, and field trips when the pandemic is over. She further extended much appreciation to all for supporting Girl Scouts.

Ms. Uriarte, along with Girl Scout Sophie Myers (also of Troop 4394), and Kathryn Kaelin (Troop 4383) then presented gift bags with cookies to the Mayor, each member of the Board and Administration.

Mayor McGill extended much appreciation for the presentation and urged everyone to order some Girl Scout cookies.

2. National Day of Racial Healing Proclamation

Mayor McGill advised such proclaims January 19, 2021 as the *National Day of Racial Healing* in the city of Fort Smith. He read multiple sections of the proclamation whereby a small excerpt is provided below:

“WHEREAS: The city of Fort Smith, in conjunction with others throughout the State of Arkansas, and the United States of America, acknowledges January 19, 2021, as the “National Day of Racial Healing in the city of Fort Smith, Arkansas, and urges all citizens to promote truth, racial healing and transformation in the ways that are best suited for them individually, as a means to working together to ensure the best quality of life for every child.”

The Arkansas Municipal League requested all municipalities to proclaim such and provide said proclamation to the State of Arkansas. A copy of the proclamation will be forwarded to the Office of Governor prior to January 19, 2021.

Item No. 2 was an ordinance amending the 2019 Unified Development Ordinance of the City of Fort Smith (*Planning*).

Director of Development Services Maggie Rice briefed the Board on the item advising the proposed amendments to the Unified Development Ordinance (UDO) consist of the following:

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1. Add language to the Commercial and Transitional Design Standards regarding building projections. The proposed language is the same as what is required for building projections in the Multifamily Design Standards. Without the amendment, projections such as flues are considered mechanical equipment thus requiring screening.
2. Application Appeals Chart to make such consistent with the Application Procedures Table 27-301.1 and reflect the processes followed.
3. Expand the list of trees, shrubs, and grasses that are permitted to be utilized in landscaping required by the UDO. The amendment allows more options for developers in terms of plantings.
4. Amendments pertaining to shopping centers including:
 - a. Add a definition for shopping center.
 - b. Delete shopping center from the current definition for mall/shopping center.
 - c. Add shopping center as a separate use in the land use matrix and allow it as a permitted use in C-2 through C-5.
 - d. Reduce the amount of required parking in both shopping centers and malls. The amendment will clarify the definition for shopping center and adjust the parking requirements for shopping centers and malls so they are consistent with actual needs.

The Planning Commission held a public hearing on December 8, 2020 to review the above referenced amendments. The Planning Commission voted eight (8) in favor and zero (0) opposed to recommend the proposed UDO amendments to the Board of Directors for consideration.

Martin, seconded by Settle, moved adoption of the ordinance. The motion included suspending the rule to allow the three (3) full readings of the ordinance to be by caption

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and for the readings to occur on the same date. The City Clerk read the ordinance by caption for its readings. Prior to the vote, Director Martin noted City Offices are currently closed to the public; therefore, an individual indicated inability to review the proposed amendments currently on file in the City Clerk's Office. Due to such, he inquired if such are also available online.

Mrs. Rice confirmed the proposed amendments are currently available online citing such were included in the Board of Directors agenda board packet, as well as the agenda board packet for the December 8, 2020 Planning Commission meeting. She further noted that Planning Department staff will happily accommodate by providing such to any interested party upon request.

The motion remaining on the floor and the members all voting affirmatively, the Mayor declared the motion carried. Morton, seconded by Catsavis, moved adoption of Section 3 the emergency clause. The members all voting affirmatively, the Mayor declared the motion carried and the ordinance and emergency clause were adopted and the ordinance was given Ordinance No. 1-21.

The consent agenda (Item No. 3) was presented for consideration, the items being as follows:

- A. Ordinance authorizing the Mayor to execute agreements for certain services for inhabitants of the City of Fort Smith (*SRCA, Area Agency on Aging, and Project Compassion*) (*Finance*)
- B. Ordinance authorizing the Mayor to execute agreements for certain services for inhabitants of the City of Fort Smith (*Fort Smith Museum of History*) (*Finance*)

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- C. Resolution authorizing the Mayor to execute an agreement with Hawkins-Weir Engineers, Inc. to provide engineering services for the Riverfront Drive Utilities Extension (\$97,520.00 / Utility Department / Budgeted - 6505 Capital Improvement)
◆ Future Fort Smith Item
- D. Resolution accepting Change Order No. 1 with United Turf and Track for Kelley Park Ballfields Artificial Turf Improvements (\$18,472.00 / Parks Department / Budgeted - 1/8% Sales and Use Tax)
- E. Resolution accepting completion and authorizing final payment to United Turf and Track for Kelley Park Ballfields Artificial Turf Improvements (\$68,818.50 / Parks Department / Budgeted - 1/8% Sales and Use Tax)

Regarding Item No. 3A, Deputy City Administrator Jeff Dingman, who was filling in for City Administrator Carl Geffken who was absent, advised the amount of funding to the Area Agency on Aging was incorrectly stated as \$50,000. The 2021 Budget approved \$60,000; therefore, the resolution has been revised to reflect same. Due to such, the motion to adopt the consent agenda should include “as revised” for Item No. 3A.

Settle, seconded by Martin, moved adoption of all consent agenda items including adoption of Item No. 3A “as revised.” Prior to the vote and regarding Item No. 3A, Director Martin inquired if a recent review of the agencies financial reports have been conducted whereby Mr. Dingman indicated such have not been recently reviewed by the City. Due to such, Director Martin recommended said reviews be initiated; however, he indicated there’s no urgency, but feels the recommendation is a good practice and ensure due diligence by the City.

With regard to Item No. 3C, Director Martin noted the lack of riverfront development; therefore, he requested an item be placed on a future study session to update the Board

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regarding same. Director Morton concurred with the requested placement; therefore, since such requires the concurrence of two (2) directors, Mayor McGill announced an update regarding riverfront development will be placed on a future study session agenda as requested.

The motion remaining on the floor and the members all voting affirmatively, the Mayor declared the motion carried and the ordinance and resolutions were adopted with the ordinances given Ordinance No. 1-21 and 2-21, and the resolutions given Resolutions No. R-1-21 through R-3-21 respectively.

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

► Mayor McGill

- Re: 1. Regarding the recent announcement that Hytrol Conveyor is expanding, which will bring 250 additional jobs to the city, he extended much appreciation to the Fort Smith Chamber of Commerce and the State of Arkansas Governor's Office for their efforts and involvement in the noted expansion.
2. Noted construction of the new Veterans Clinic is "coming along."
3. Announced that the first rounds of COVID-19 vaccines are currently being administered with all first responders being the first to receive. He added that positive cases are rising in Fort Smith; therefore, as noted in previous meetings, he urged all to continue to "*be smart*" and "*stay safe.*"

► Director Morton

- Re: 1. Regarding the aforementioned expansion of Hytrol Conveyer, he noted that such creates an exciting start to 2021 citing "*good things*" are occurring in Fort Smith!

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2. With regard to the COVID-19 vaccine, he noted the importance of ensuring such is administered at an appropriate pace for residents of Fort Smith, as well as those in the surrounding communities who will most likely come to Fort Smith to receive the vaccine. The City should do everything within its authority to ensure vaccines are administered in an expeditious and well-planned/organized manner; therefore, he urged the importance of pre-planning the notification process and other related matters citing such should be considered in the near future.

▶ Director Rego

- Re:
1. Regarding the COVID-19 vaccine, he concurred with the comments of Director Morton and spoke in favor of moving forward with a plan.
 2. Extended gratitude to former Ward 1 Director Keith Lau for his service, and conveyed appreciation for the opportunity to serve in said capacity for the upcoming term. He provided his cell phone number inviting residents to call him if they need his assistance. Additionally, he further extended a heartfelt “thank you” to his family for their support in his new endeavor.

▶ Deputy Administrator Dingman

- Re:
1. Announced that Mr. Tim Jacobsen was recently selected as the new Executive Director of the Fort Smith Convention and Visitors Bureau, and although Mr. Jacobsen was unable to be in attendance at the meeting, he urged all to extend him a hearty “welcome” when they see him.
 2. Also announced that Mr. Mark Mulhern, with the OVG Group, was recently named as the new General Manager of the Fort Smith Convention Center. He urged all to extend a hearty “welcome” to Mr. Mulhern as well.

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3. Advised the Utility Department drive-thru is now open. Such is located on North 6th Street, directly behind Tip Top Western Wear on Garrison Avenue. During the onset of the COVID-19 pandemic, it was determined that a drive-thru location for the payment of utility bills would assist in reducing the spread of the virus by reducing in-person traffic at City Offices on Garrison Avenue. Since the drive-thru is now operational, such has been advertised and signs placed at City Offices on Garrison Avenue advising residents of the alternate payment location.

The Board convened into executive session at approximately 6:29 p.m., and after reconvening, the Mayor announced the following appointment nomination:

VICE-MAYOR

Jarred Rego

Term expires December 31, 2022

Martin, seconded by Good, moved acceptance of the above named appointment nomination. The members all voting aye, the Mayor declared the motion carried.

There being no further business to come before the Board, Martin moved that the meeting adjourn. The motion was seconded by Catsavis, and the members all voting aye, the Mayor declared the motion carried and the meeting stood adjourned at 7:00 p.m.

APPROVED:


MAYOR

ATTEST:


CITY CLERK