



**MAYOR**  
George B. McGill

**CITY ADMINISTRATOR**  
Carl Geffken

**CITY CLERK**  
Sherri Gard

**BOARD OF DIRECTORS**  
Ward 1 – Jarred Rego  
Ward 2 – Andre' Good  
Ward 3 – Lavon Morton  
Ward 4 – George Catsavis  
At-Large Position 5 – Robyn Dawson  
At-Large Position 6 – Kevin Settle  
At-Large Position 7 – Neal Martin

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## **AGENDA ~ Summary**

**Fort Smith Board of Directors  
REGULAR MEETING**

**April 5, 2022 ~ 6:00 p.m.**

**Blue Lion**

**101 North 2<sup>nd</sup> Street**

***THIS MEETING IS BEING TELECAST LIVE ON THE  
CITY OF FORT SMITH GOVERNMENT ACCESS CHANNEL (COX CHANNEL 214)  
AND ONLINE AT THE FOLLOWING LINK:***

<https://video.ibm.com/channel/city-of-fort-smith-board-of-directors-meetings>

### **INVOCATION & PLEDGE OF ALLEGIANCE**

Invocation given by Director Jarred Rego

Pledge of Allegiance led by Director Robyn Dawson

### **ROLL CALL**

- All physically present with the exception of Director Andre' Good, who was absent
- Mayor George McGill 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/XqbsvFPFApS>

### **APPROVE MINUTES OF THE MARCH 15, 2022 REGULAR MEETING**

**APPROVED** as written

## ITEMS OF BUSINESS:

1. Ordinance amending the Master Land Use Plan map and rezoning identified property and amending the zoning map (*Master Land Use Plan Amendment: Residential Detached to Residential Attached / Rezoning: Residential Multifamily Medium Density (RM-3) and Residential Estate One Acre (RE-1) to a Planned Zoning District (PZD) by classification at 5300 Heather Ridge Street*) ~ Tabled to the April 5, 2022 regular meeting at the March 1, 2022 regular meeting ~ (Planning)  
**TABLED** to the May 3, 2022 regular meeting 6 in favor, 0 opposed
2. Ordinance rezoning identified property and amending the zoning map (*Industrial Heavy (I-3) to a Planned Zoning District (PZD) by classification at 815 South 6<sup>th</sup> Street*) (Planning)  
**TABLED** to a future regular meeting pending discussion at the April 26, 2022 study session 4 in favor (Morton, Catsavis, Settle, Martin) 2 opposed (Rego, Dawson)
3. Ordinance rezoning identified property and amending the zoning map (*Transitional Special (T SPL), Commercial Heavy Special (C-5 SPL) and Commercial Heavy (C-5) to a Planned Zoning District (PZD) by classification at 5912 and 5915 Remington Circle*) (Planning)  
**APPROVED** 6 in favor, 0 opposed / Ordinance No. 28-22
4. Ordinance amending the Master Land Use Plan map and rezoning identified property and amending the zoning map (*Master Land Use Plan Amendment: Regional Center to General Commercial / Rezoning: Commercial Light (C-2) and Commercial Heavy (C-5) to a Planned Zoning District (PZD) by classification at 2219 South Waldron Road*) (Planning)  
**APPROVED** 6 in favor, 0 opposed / Ordinance No. 29-22
5. Ordinance amending Chapter 7 Article II of the Fort Smith Municipal Code and establishing fees for Oak Cemetery (*Columbarium*) (Parks)  
**APPROVED** 4 in favor (Morton, Dawson, Settle, Martin), 2 opposed (Rego, Catsavis) / **FIRST READING** ~ *Second reading scheduled for the April 19, 2022 regular meeting* ~
6. Ordinance amending Ordinance No. 5-22 and establishing a communications liaison pay allowance for certain City employees (*Human Resources*)  
**APPROVED** 4 in favor (Rego, Morton, Catsavis, Dawson), 2 opposed (Settle, Martin) / Ordinance No. 30-22
7. Resolution accepting bid and authorizing a contract with ACS Playground Adventures, Inc. for construction of Creekmore Park Inclusive Playground (\$548,853.00 / Parks Department / Budgeted – 1/8% Sales and Use Tax)  
**APPROVED** 6 in favor, 0 opposed / Resolution No. R-49-22

8. Resolution accepting bid for the purchase of a CNG commercial front loader for the Fort Smith Sanitary Landfill (*\$452,298.15 / Solid Waste Services Department / Budgeted – Capital Equipment Replacement Fund*)  
**APPROVED** 6 in favor, 0 opposed / Resolution No. R-50-22
9. Resolution accepting bid for the purchase of a CNG residential automated side loader for the Fort Smith Sanitary Landfill (*\$441,078.96 / Solid Waste Services Department / Budgeted - Capital Equipment Replacement Fund*)  
**APPROVED** 6 in favor, 0 opposed / Resolution No. R-51-22
10. Resolution accepting bid for the purchase of a CNG residential rear loader for the Fort Smith Sanitary Landfill (*\$341,355.21 / Solid Waste Services Department / Budgeted - Capital Equipment Replacement Fund*)  
**APPROVED** 5 in favor, 0 opposed / Resolution No. R-52-22 (*Director Dawson was not present for the vote*)
11. Resolution authorizing the purchase of a large, heavy duty transit bus from Gillig, LLC (*\$576,284.00 / Transit Department / Budgeted – Capital Outlay-Vehicles*)  
**APPROVED** 6 in favor, 0 opposed / Resolution No. R-53-22
12. Ordinance amending the 2022 Operating Budget and authorizing the appropriation of funds from the unrestricted Solid Waste Fund balance for equipment repair (*Solid Waste Services*)  
**APPROVED** 6 in favor, 0 opposed as revised to include verbiage to waive competitive bidding / Ordinance No. 31-22
13. Ordinance amending the 2022 Operating Budget and authorizing the appropriation of funds from the unrestricted working capital of the Water and Sewer Fund for capital purposes (*Utility*)  
**APPROVED** 6 in favor, 0 opposed / Ordinance No. 32-22
14. Resolution accepting the project as complete and authorizing final payment to Forsgren, Inc. for the Highway 255 Utility Relocations (*\$52,445.57 / Utility Department / Budgeted - 2018 Revenue Bonds and 6505 Capital Improvement Fund*) ♦ ●  
**APPROVED** 6 in favor, 0 opposed / Resolution No. R-54-22
15. Resolution authorizing the Mayor to execute Amendment No. 1 with Aqualaw, P.L.C. for providing assistance with Consent Decree related matters (*\$271,302.69 / Utility Department / Budgeted – Program 5590 Non-Capital Projects*) ●  
**APPROVED** 6 in favor, 0 opposed / Resolution No. R-55-22

16. Consent Agenda

- A. Resolution granting a temporary revocable license for the expansion of an existing portico within a right of way and authorizing the Mayor to execute agreement (*Planning*)  
**WITHDRAWN FROM CONSIDERATION**
- B. Resolution authorizing a change order for a time extension and assessing liquidated damages for the 2020 Street Overlays/Reconstruction, Phase D, Project No. 20-03-D (\$5,000.00 Liquidated Damages & add 141 days / Engineering Department / Budgeted - Sales Tax Program) ♦  
**APPROVED** 6 in favor, 0 opposed as revised to correct the liquidated damages amount from \$5,000 to \$2,500 / Resolution No. R-56-22
- C. Resolution accepting completion of and authorizing final payment for the 2020 Street Overlays/Reconstruction, Phase D, Project No. 20-03-D (\$70,832.22 / Engineering Department / Budgeted - Sales Tax Program) ♦  
**APPROVED** 6 in favor, 0 opposed / Resolution No. R-57-22
- D. Resolution authorizing the Mayor to enter into an agreement with the Western Arkansas Tennis Association for operation of the Tennis Center at Creekmore Park (*Parks*)  
**APPROVED** 6 in favor, 0 opposed / Resolution No. R-58-22
- E. Resolution authorizing the Mayor to execute a lease agreement with JM Food Service d/b/a Cheese Junkies Smoothie and Snack Shop for operation of the miniature golf course and concession at Creekmore Park (*Parks*)  
**APPROVED** 6 in favor, 0 opposed / Resolution No. R-59-22
- F. Resolution accepting bid for the purchase of solid waste containers for the Solid Waste Services Department (\$117,913.98 / Solid Waste Services Department / Budgeted – Capital Outlay, Front Load Containers)  
**APPROVED** 6 in favor, 0 opposed / Resolution No. R-60-22
- G. Resolution accepting project as complete and authorizing final payment to Clean Energy of California, Inc. for Solid Waste Services Maintenance Shop Compressed Natural Gas Upgrades (\$192,549.10 / Solid Waste Services Department / Budgeted – Solid Waste Sinking Fund)  
**APPROVED** 6 in favor, 0 opposed / Resolution No. R-61-22
- H. Resolution authorizing the purchase of bus stop shelters from Brasco International, Inc. (\$76,950.00 / Transit Department / Budgeted – Capital Outlay-Improvements Other)  
**APPROVED** 6 in favor, 0 opposed / Resolution No. R-62-22

- I. Resolution authorizing the execution of a memorandum of understanding between the City of Fort Smith Police Department and the Office of Secure Transportation, National Nuclear Security Administration, Department of Energy (11408 Roberts Boulevard) (Police) ~ *Withdrawn from the March 15, 2022 regular meeting agenda* ~  
**APPROVED** 6 in favor, 0 opposed / Resolution No. R-63-22

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

➤ Mayor

➤ Directors

➤ City Administrator

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**ADJOURN**

7:46 p.m.