



**MAYOR**  
George B. McGill

**CITY ADMINISTRATOR**  
Carl E. 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 – Christina Catsavis  
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

February 7, 2023 ~ 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 Andre' Good

### ROLL CALL

- All physically present
- 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 JANUARY 17, 2023 REGULAR MEETING

**APPROVED** as written

### ITEMS OF BUSINESS:

1. Ordinance rezoning identified property and amending the zoning map (*Planned Zoning District to a Planned Zoning District at 7000 Wells Lake Road*) (*Planning*)  
**APPROVED** 7 in favor, 0 opposed / Ordinance No. 9-23

2. Ordinance zoning identified property and amending the zoning map (*Not Zoned to a Planned Zoning District at 7900 and 7908 Taylor Avenue*) (*Planning*)  
**APPROVED** 7 in favor, 0 opposed / Ordinance No.10-23

3. Ordinance amending the 2019 Unified Development Ordinance of the City of Fort Smith (*Landscape List Extension and Mini-Storage Warehouses in the Extra-Territorial Jurisdiction (ETJ) area*) (*Planning*)  
**APPROVED** 7 in favor, 0 opposed as amended to remove irrigation requirement / Ordinance No. 11-23

NOTE: Items No. 9A & 9B were moved on the agenda just prior to consideration of Item No. 4

4. Ordinance prohibiting the transfer of animals within the corporate limits of the City of Fort Smith; amending Article IV, Section 4-96 of the Fort Smith Municipal Code and Section 27-701-3E of the Unified Development Ordinance; and, establishing a penalty for violation ~ *Morton/Settle placed on agenda at the November 10, 2022 study session / Tabled to the February 7, 2023 regular meeting at the January 3, 2023 regular meeting* ~ (*Administration*)  
**APPROVED** 7 in favor, 0 opposed / Ordinance No. 13-23

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 (*705-709 South 6<sup>th</sup> Street and 2116 North "I" Street*) (*Building Services*)  
**APPROVED** 7 in favor, 0 opposed / Ordinance No. 14-23

6. Ordinance authorizing benefit program for uniformed employees of the Fort Smith Police Department (*Police*)  
**WITHDRAWN** by staff prior to the meeting

7. Ordinance amending the 2023 Operating Budget and authorizing the appropriation of funds from the General Fund Unobligated Balance for Senior Center repairs (*Administration*)  
**APPROVED** 7 in favor, 0 opposed / Ordinance No. 15-23

8. Resolution authorizing the purchase of fire apparatus (\$757,252.00 / *Fire Department / Budgeted – 1/8% Sales and Use Tax*)  
**APPROVED** 7 in favor, 0 opposed / Resolution No. R-19-23

9. Items regarding Woods Elevated Water Tower ~ *Deferred from January 31, 2023 special meeting, canceled due to inclement weather* ~ :  
*Note: Director Morton is employed by ArcBest Corporation; therefore, he recused from voting on the below items.*

A. Resolution authorizing the Mayor to execute a limited water tower advertisement agreement with ArcBest Corporation (*Utility*)  
**APPROVED** 6 in favor, 0 opposed / Resolution R-18-23

- B. Ordinance waiving competitive bidding and approving the repainting of the Woods Elevated Water Tower located near McClure Drive pursuant to a contract between ArcBest Corporation and Viking Industrial Painting, Inc. (\$383,670.00 / Utility Department / Not Budgeted – Cost Share with ArcBest Corporation)  
**APPROVED** 6 in favor, 0 opposed / Ordinance No. 12-23

10. Consent Agenda

- A. Resolution accepting grant funds and approval to purchase COVID-19 personal protective equipment (PPE) essential items kits (\$282,499.05 / Mayor / Not Budgeted – Grant Funds, i.e. Arkansas Department of Finance and Administration, Coronavirus Emergency Supplemental Funding Program)  
**APPROVED** 7 in favor, 0 opposed / Resolution R-20-23
- B. Resolution authorizing Change Order No. 1 for a time extension and assessing liquidated damages for the 2021 Street Overlays/Reconstruction, Phase B, Project No. 21-03-B (57.5 days and \$1,250.00 liquidated damages / Engineering Department / Budgeted – Sales Tax Program) ♦  
**APPROVED** 7 in favor, 0 opposed / Resolution R-21-23
- C. Resolution accepting completion of and authorizing final payment for the 2021 Street Overlays/Reconstruction, Phase B, Project No. 21-03-B (\$109,710.47 / Engineering Department / Budgeted – Sales Tax Program) ♦  
**APPROVED** 7 in favor, 0 opposed / Resolution R-22-23
- D. Resolution to accept the bid and authorize a contract for the 2022 Street Overlays/Reconstruction, Phase B, Project No. 22-03-B (\$1,616,460.60 / Engineering Department / Budgeted – Sales Tax Program) ♦  
**APPROVED** 7 in favor, 0 opposed / Resolution R-23-23
- E. Resolution accepting bids for the performance of taxicab inspections (Finance)  
**APPROVED** 6 in favor, 1 opposed (G. Catsavis) / Resolution R-24-23
- F. Resolution accepting bids for the purchase of vehicles and equipment for the Solid Waste Services Department (\$3,382,213.15 / Solid Waste Services Department / Budgeted – Landfill Construction & Sinking Fund)  
**APPROVED** 7 in favor, 0 opposed / Resolution R-25-23
- G. Resolution authorizing execution of acknowledgement of completion and full satisfaction of all terms of the March, 2005 Settlement and Release Agreement between the City of Fort Smith, Arkansas and James Fork Regional Water District (Utility)  
**APPROVED** 7 in favor, 0 opposed / Resolution R-26-23

- H. Resolution amending Resolution No. R-25-22 (*Utility*)  
**APPROVED** 7 in favor, 0 opposed / Resolution R-27-23
- I. Resolution authorizing acquisition of real property interests for the watershed property acquisition for the Lee Creek Water Project (\$1,015,000.00 / *Utility Department / Budgeted – Capital Improvement Fund*)  
**APPROVED** 6 in favor, 1 opposed (G. Catsavis) / Resolution R-28-23
- J. Resolution accepting Change Order No. 1 with ACS Playground Adventures, Inc. for construction of inclusive playground at Creekmore Park (\$2,708.81 / *Parks Department / Budgeted – 1/8% Sales and Use Tax*)  
**APPROVED** 7 in favor, 0 opposed / Resolution R-29-23
- K. Resolution accepting completion and authorizing final payment to ACS Playground Adventures, Inc. for construction of inclusive playground at Creekmore Park (\$256,625.81 / *Parks Department / Budgeted – 1/8% Sales and Use Tax*)  
**APPROVED** 7 in favor, 0 opposed / Resolution R-30-23
- L. Resolution approving and authorizing the Mayor to execute an agreement with 64.6 Downtown to provide downtown development services and provide for the operation of the Arkansas Main Street Program in conjunction with the City of Fort Smith (*not to exceed \$150,000.00 / Administration Department / Budgeted – Outside Services*)  
**APPROVED** 6 in favor, 0 opposed, 1 abstention (Settle) / Resolution R-31-23

*Note: This item, i.e. Item No. 10L, was removed from the consent agenda and considered as a separate item.*

**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**  
8:19 p.m.