

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

AGENDA ~ REVISED

Fort Smith Board of Directors

STUDY SESSION

January 12, 2021 ~ 6:00 p.m.

Fort Smith Convention Center

55 South 7th Street

Exhibit Halls A1 & A2

THIS MEETING IS BEING TELECAST LIVE AT THE FOLLOWING LINK:

<https://video.ibm.com/channel/XqbsvFPFpS>

CALL TO ORDER

1. Annual compliance of Act 235 of 2015 to assemble and organize the governing body of the City of Fort Smith for 2021 *(Administration)*
2. Discussion regarding city's role in vaccine distribution ~ *Requested by Director Morton at the January 5, 2021 regular meeting ~ (Administration)*
3. Update regarding water leak mitigation plan ~ *Requested at the November 12, 2019 study session w/update to Board every 3 months / February 11, 2020 study session / May 2020 update postponed due to COVID-19 / August 25, 2020 study session / December 2020 update postponed to January 2021 ~ (Utility)*
4. Discussion of current billing matters in the Utility Department ~ *Added to agenda by unanimous concurrence of the Board on January 8, 2021 ~ (Utility)*
5. Review preliminary agenda for the January 19, 2021 regular meeting

ADJOURN

From: [Gard, Sherri](#)
To: [Board of Directors Email Group](#); [Department Heads](#); [Deputy Department Heads](#); [MEDIA](#)
Subject: Request for Placement and Removal of Items on January 12, 2021 Study Session Agenda
Date: Friday, January 8, 2021 2:04:33 PM

All,

Below are Sections 2-31(3) and 2-31(4) of the Fort Smith Municipal Code:

Sec. 2-31. – Formulation of agenda.

(3) An item of business may be placed on the agenda at least 48 hours prior to the time of the meeting of consideration by four members of the board upon notice to the city clerk of the name of the proposed directors and the specific subject of the items of business to be considered. The city clerk shall immediately notify the directors, the city administrator and the mayor of the specific subject of the addition to the agenda.

(4) Any item of business may be denied a place on or removed from the agenda by notice of four directors to the city clerk prior to the date of the meeting of the proposed consideration. The city clerk shall immediately notify the city administrator, the mayor, the directors and other interested persons of such action.

Director Lavon Morton contacted the City Clerk's Office this afternoon at approximately 12:41 p.m. and, pursuant to the above, requested the following:

1. ADDITION of an item to the January 12, 2021 study session, i.e. *"Discussion of current billing matters in the Utility Department"*
2. REMOVAL of Item No. 4 on the January 12, 2021 study session, i.e. *"Discuss ordinance prohibiting the running-at-large of cats; establishing identification and annual licensing requirement for dogs and cats, providing a fee schedule for such licenses, etc. ~ Ordinance tabled pending further discussion at a study session in January 2021 at the November 17, 2020 regular meeting ~ (Administration)"*

All remaining members of the City of Fort Smith Board of Directors were contacted to seek concurrence with the requested agenda item addition and item removal. All members unanimously concurred to both the addition and removal requests; therefore, since at least four (4) directors were in concurrence, the agenda for the January 12, 2021 study session will be revised accordingly.

The agenda packet for the January 12, 2021 study session was posted to the City of Fort Smith website and distributed to all interested parties yesterday, Thursday, January 7, 2021;

therefore, a revised agenda packet will be reposted to the City of Fort Smith website and redistributed today as soon as possible.

Sherri Gard, MMC
City Clerk
City of Fort Smith
479-784-2207



Memo

To: Carl E. Geffken, City Administrator
From: Jeff Dingman, Deputy City Administrator
Date: 1/6/2021
Re: Requirement to "Assemble and Organize"

Act 235 of 2015 requires that "members of a governing body elected for each city or town shall annually in January assemble and organize the governing body."

The Board has already adopted ordinances regarding setting meeting dates for 2021 (Ordinance No. 106-20), and establishing procedures for setting the agendas and conducting meetings of the governing body (codified in Chapter 2 of the Fort Smith Municipal Code). Copies of the aforementioned ordinance and pertinent sections of the Fort Smith Municipal Code are attached. In order to satisfy the requirement of Act 235, a review of these items is included on the agenda for the January 12, 2021 study session.

Please let me know if you have questions regarding this study session agenda item.

ORDINANCE NO. 106-20

ORDINANCE SETTING THE DATES, TIME, AND LOCATION
FOR REGULAR MEETINGS OF THE BOARD OF DIRECTORS
FOR THE YEAR 2021

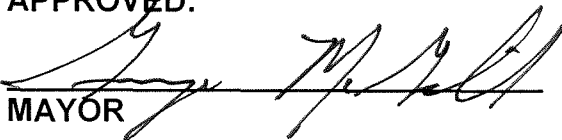
BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE
CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: In 2021, all regular meetings of the Fort Smith Board of Directors shall be held at 6:00 p.m. on the first and third Tuesday of each month, with the exception of December when such will be held on Thursday, December 2 and Tuesday, December 14, 2021.


SECTION 2: All regular meetings of the Fort Smith Board of Directors shall be held at the Fort Smith Convention Center, 55 South 7th Street, Exhibit Hall A1 and A2. In the event Exhibit Halls A1 and A2 are not available, the City Administrator may determine an alternate room within the Convention Center whereby notification shall be provided to the public and all interested parties.

THIS ORDINANCE ADOPTED THIS 1st DAY OF December,
2020.

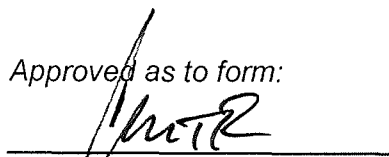
APPROVED:


MAYOR

ATTEST:


CITY CLERK

Approved as to form:


Publish one time

FORT SMITH MUNICIPAL CODE

ARTICLE II. - MAYOR AND BOARD OF DIRECTORS^[1]

Footnotes: --- (1) --- State Law reference— Board of directors, A.C.A. § 14-48-110 et seq.

Sec. 2-26. - Regular meetings of the board of directors. Each year the board of directors shall establish the dates and place of regular meetings of the board of directors.

(Code 1992, § 2-26; Ord. No. 94-12, §§ 1, 2, 12-4-2012; Ord. No. 62-13, § 1, 11-19-2013; Ord. No. 65-14, § 1, 11-18-2014; Ord. No. 82-15, § 1, 11-17-2015; Ord. No. 76-16, § 1, 11-15-2016; Ord. No. 70-17, § 1, 12-5-2017; Ord. No. 93-18, § 1, 11-20-2018; altered in 2019 recodification)

Sec. 2-27. - Special meetings. Special meetings of the board of directors may be called by a majority of the board of directors as follows:

(1) On oral motion stating the time, date, place (if then known) and item of business on the agenda for the proposed meeting adopted by the board of directors at any regular meeting or special meeting of the board which is attended by all directors and the mayor. The city clerk shall confirm the meeting called by notice to each director, the mayor, and the city administrator of the time, date, place and item of business on the agenda for the meeting called.

(2) When four or more members of the board of directors are present and all members of the board and the mayor, whether present or absent, consent in writing to the holding of the meeting. The written consent shall contain the time, date, place and item of business on the agenda, and shall be recorded in the minutes of the board by the city clerk. Absent members and the mayor may give written consent to the meeting by facsimile or electronic mail addressed to the city clerk.

(3) When four or more members of the board of directors give notice to the city clerk, either orally or in writing, of the time, date, and item of business on the agenda for the special meeting. Oral notice received by the city clerk shall be reduced to writing and recorded in the minutes of the board. Written notice of the special meeting of the board shall contain the time, date, place and item of business on the agenda, and shall be either delivered to each member of the board, the mayor and the city administrator at least 24 hours before the time of the meeting called, or shall be sent by electronic mail or facsimile to each member of the board of directors and to the mayor to addresses or facsimile numbers provided by each for this purpose at least 48 hours before the time of the meeting called. The city administrator may request all members of the board of directors to call a special meeting for any specified purpose by notice to each member of the board of directors and the mayor of the time, date, place and item of business on the agenda of the proposed meeting. The requested meeting may be called by four or more members of the board of directors as provided in this subsection.

(4) If an emergency event, which could not have been reasonably anticipated but which, because of its importance and pressing urgency, requires immediate consideration, the board of directors may have a special meeting at any time and at any place when at least four or more directors are present, and after written notice has been given of the time, place and item of business for consideration to each director, and to the news media by the most expeditious manner possible, at least two hours prior to the meeting. Expeditious manner shall be deemed satisfied if attempted contact is by e-mail, telephone and facsimile copy. Any action taken at such meeting shall be reported promptly to the mayor and to all members of the board of directors who were absent, and any action taken shall be an item of business on the agenda

at the next regular or special meeting of the board of directors duly called for reconsideration at the request of any member of the board of directors.

(5) The city clerk shall prepare and give all notice required by this section and the Freedom of Information Act of 1967 (A.C.A. § 25-19-101 et seq.), and when required, such notice shall be given to each member of the board, the mayor, the city administrator, the public and the news media pursuant to the Freedom of Information Act of 1967 (A.C.A. § 25-19-101 et seq.). Said notice shall include the time, date, place and item of business on the agenda for the meeting called.

(6) No special meeting of the board of directors shall be called to order until the two-hour notice of the meeting is first given to the public and the representatives of the news media as required by the Freedom of Information Act of 1967 (A.C.A. § 25-19-101 et seq.). The mayor and each member of the board of directors shall be deemed to have consented to any special meeting of the board of directors and its consideration of the items of business stated on the agenda at the beginning of the meeting if they are present at the beginning of the meeting and do not object to the holding of the meeting.

(Code 1992, § 2-27; Ord. No. 24-10, § 1, 5-18-2010)

State Law reference— Calling of special meetings, A.C.A. § 14-48-120(c).

Sec. 2-28. - Executive sessions.

(a) Executive sessions of the board of directors shall be scheduled as the last item of business on a regular or special meeting agenda, subject to the provisions of subsection [2-37\(a\)](#) for rearranging the order of the meeting agenda.

(b) Except as otherwise specifically provided by law, executive sessions will be permitted only for the purpose of discussing or considering employment, appointment, promotion, demotion, disciplining or resignation of any public officer or employee.

(c) Any item of business arising at a study session, regular or special meeting of the board, requiring the consideration of the board in executive session shall be automatically postponed for executive session at the next regular or special meeting of the board. A motion duly adopted to consider an item of business in executive session shall automatically postpone consideration of the item of business. All seven directors may concur with adding the item to the agenda of the meeting in progress for an executive session before adjournment of the regular or special meeting in progress. If consideration at the regular or special meeting in progress does not occur, the matter shall be scheduled for an executive session at the next regular or special meeting.

(d) Any decision of the board of directors made in executive session, which decision is required by the Freedom of Information Act of 1967 (A.C.A. § 25-19-101 et seq.) to be presented and voted on at the public meeting, shall be the subject of formal action by the board which shall reconvene in public session after the executive session.

(e) Only the members of the board, the mayor, and the city administrator shall regularly attend executive sessions of the board. Persons specifically requested to attend a particular meeting may do so as allowed by the Arkansas Freedom of Information Act, and such person shall leave the meeting at the conclusion of the matter pertaining to them.

(Code 1992, § 2-28; Ord. No. 24-10, § 1, 5-18-2010)

State Law reference— Executive sessions, A.C.A. § 25-19-106(c).

Sec. 2-29. - Study session meetings.

(a) The board of directors may hold study session meetings at such times, under such circumstances and on such conditions as the board may prescribe for the purpose of informing itself of the business and affairs of the city, provided no official action of the board of directors shall be taken at such meetings. The city clerk shall not be required to keep minutes of study session meetings.

(b) The city clerk shall prepare and give notice of study session meetings. Such notice shall be given to each member of the board, the mayor, the city administrator, the public and the news media pursuant to the Freedom of Information Act of 1967 (A.C.A. § 25-19-101 et seq.). Said notice shall include the time, date, place and item of business on the agenda for the meeting called.

(c) The regularly scheduled study session meeting shall precede the regular meeting of the board by at least five days.

(d) To the extent practical, items of business or matters which are complex or involve policy decisions shall be presented at a study session meeting together with a briefing of relevant facts and circumstances prior to being placed on the agenda of a regular meeting. Additionally, the city administrator shall provide a list of all then-known items contemplated to be on the next regular meeting agenda.

(e) The time and place of study session meetings shall be determined by a majority of the members of the board, and notice given as herein provided.

(f) Only the city administrator, the mayor, or a member of the board of directors may invite persons to address the board of directors at a study session, and a majority of the board of directors may limit the time of a presentation, or deny any presentation to the board. In all controversial and complex matters, such a briefing may be a condition precedent to further consideration of the item of business. The city administrator or his staff shall undertake reasonable efforts to give notice of the study session to persons having an existing direct interest, as contrasted with a general interest, in the item of business under study by the board of directors at a study session, and the board of directors may to permit such directly interested persons to make informed presentations to the board if requested to do so.

(g) The study session meeting room shall be so arranged as to encourage and facilitate communication between the mayor, the members of the board of directors, the city administrator and any invited guests.

(Code 1992, § 2-29; Ord. No. 24-10, § 1, 5-18-2010)

Sec. 2-30. - Personnel to attend study session meetings.

(a) The city administrator or the deputy city administrator and city clerk or assistant city clerk shall attend all study session meetings of the board. The city administrator shall also require the presence at the study session meetings of other employees of the city having relevant superior personal knowledge or expert opinion of matters to be presented to the board for consideration.

(b) The board of directors may on a motion duly adopted require the qualified and licensed attorneys at law contracted to provide legal services pursuant to sections [2-111](#) through [2-113](#), or in his absence an assistant qualified and licensed attorney at law contracted to provide legal services pursuant to sections [2-111](#) through [2-113](#), or any other municipal employee to attend study session meetings of the board.

(Code 1992, § 2-30; Ord. No. 24-10, § 1, 5-18-2010)

Sec. 2-31. - Formulation of agenda. Each item of business for consideration by the board of directors at any regular, special, study session or executive session meeting of the board shall be first placed on a written agenda. The agenda shall be formulated and disseminated according to the following directions:

(1) The preparation of the agenda for each regular, special, study session or executive session meeting of the board of directors shall be the duty of the city clerk, under the supervision of the mayor.

(2) An item of business may be placed on the agenda for any regular, special, study session or executive session meeting of the board at a study session meeting preceding the meeting of consideration by the city administrator, or by the concurrence of any two members of the board. An item of business may be placed on the agenda for any regular, special, study session or executive session meeting of the board at any time by the city administrator provided notice of the specific subject of the addition to the agenda is given to the mayor and the members of the board of directors at least 48 hours before the meeting of consideration.

(3) An item of business may be placed on the agenda at least 48 hours prior to the time of the meeting of consideration by four members of the board upon notice to the city clerk of the name of the proposed directors and the specific subject of the items of business to be considered. The city clerk shall immediately notify the directors, the city administrator and the mayor of the specific subject of the addition to the agenda.

(4) Any item of business may be denied a place on or removed from the agenda by notice of four directors to the city clerk prior to the date of the meeting of the proposed consideration. The city clerk shall immediately notify the city administrator, the mayor, the directors and other interested persons of such action.

(5) An item of business requiring immediate action by the board may be placed on the agenda within 48 hours or at the meeting of consideration by notice from all seven members of the board to the city clerk pursuant to subsection (3) of this section 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.

(6) An item of business presented at a regular or special meeting of the board, not placed on the agenda of the meeting at which presented, shall be automatically placed on the agenda of the following regular meeting unless its place on the agenda is denied, or it is removed as provided in this article.

(7) Any ordinance or resolution placed on the agenda of any regular or special meeting of the board requiring by its terms the appointment by the board of a person and the insertion of a person's name in the ordinance or resolution shall be automatically referred to and constitute a call of an executive session prior to adjournment of such meeting, and formal action on the ordinance or resolution shall take place in public session after the executive session.

(Code 1992, § 2-31; Ord. No. 24-10, § 1, 5-18-2010)

Sec. 2-32. - Briefing of board by the city administrator.

(a) The city administrator may present to the board of directors at any meeting any matter without detailed briefing for the purpose of determining whether the board desires that the matter be staffed and the board thoroughly briefed at a subsequent meeting of the board, or not. Available information relevant to the question of further consideration and briefing should be presented.

(b) It shall be the duty of the city administrator to keep the members of the board advised of all facts and circumstances pertaining to or affecting the legislative policy of the city, and it shall be the duty of the city administrator and his staff to investigate, assimilate relevant information, and brief the board of directors on all matters requiring consideration and legislative action by the board.

(c) Before any complex or controversial item of business is placed on the agenda of a regular, special, study session or executive session meeting of the board by the city administrator, the city administrator and his staff shall first present to the board so much of the following as is relevant and feasible:

- (1) Statement of the problem or the issue presented.
- (2) A statement of all pertinent and relevant facts together with available documentation.
- (3) Any expert opinion concerning the item of business for consideration.
- (4) Copies of other municipal legislation affecting the item of business.
- (5) Copies of pertinent comparable legislation in other municipalities.
- (6) Statement of the intended results of any proposed legislation or statement of policy on the problems sought to be eliminated, or the good to be accomplished by the proposed legislation.
- (7) A statement of the obstacles to accomplishment of the desired objective.
- (8) A statement of the possible solutions with advantages and disadvantages of each.
- (9) The course of action recommended by the city administrator, if any, and his reasons therefor.

(d) It shall be the duty of the city administrator and his staff to present to the board the same information outlined in this section for each item of business initiated by members of the board at their request, or by citizens presenting complex or controversial items of business, provided the city administrator may require as a condition precedent to his presentation of an item of business initiated by a citizen that the initiating person attend a meeting of the board and make a presentation of relevant facts and circumstances to the board and such other of the staff briefing requirements outlined in the preceding subsection as is relevant and reasonable.

(e) The majority of the board may, by vote, if timely done pursuant to [section 2-31](#), place a complex or controversial item of business on the agenda at the request of the city administrator without the complete and thorough briefing to the board required by this section.

(f) All or any part of the information to the board required by this section may be furnished either orally or in writing to each member of the board prior to or at the presentation of the item of business for a place on the agenda.

(g) The city administrator shall request the board of directors to authorize the necessary staff, equipment and material to perform the duties prescribed by this article.

(Code 1992, § 2-32; Ord. No. 24-10, § 1, 5-18-2010)

Sec. 2-33. - Meeting material, equipment and supplies. The city clerk shall have present at each meeting of the board of directors a copy of Robert's Rules of Order, Newly Revised, 11th Edition , a copy of this Code, and at the meeting of initial consideration, a copy of every other contract, resolution or ordinance of the city directly affecting matters of consideration by the board. The city administrator shall advise the city clerk prior to each meeting of the subject of matters proposed for consideration by the board which are not known by the city clerk to be already on the agenda. The city clerk shall provide necessary supplies for each director at each meeting. The city administrator shall have present at the meeting of initial consideration every legal opinion, and other letters, documents, charts, maps or photographs not in the possession of the city clerk directly affecting new matters of consideration by the board at each regular, special, study session or executive session meeting of the board, except where impractical because of the complexity or bulk of the documents, in which case available summaries shall be utilized.

(Code 1992, § 2-33; Ord. No. 24-10, § 1, 5-18-2010; altered in 2019 recodification)

Sec. 2-34. - Presiding officer; vote; mayor's veto; overriding veto.

(a) The mayor shall preside at all regular, special, and study session meetings, including executive sessions, of the board of directors but shall not have a vote on any matter coming before the board. The mayor shall have the power of veto over all decisions made by the board of directors, except with respect to matters relative to city personnel, but a veto by the mayor may be overridden by the affirmative vote of five or more members of the board of directors. In the absence of the mayor, the assistant mayor or vice-mayor shall have the same duties and authority as chairman without veto, and also shall have the right to vote as a director.

(b) In the absence of both the mayor and the assistant mayor or vice-mayor, the board of directors shall elect from its membership a person to serve as chairman of the meeting. Such election of a chairman shall not occur before the designated starting time of the meeting and shall not occur before a quorum is present.

(Code 1992, § 2-34; Ord. No. 24-10, § 1, 5-18-2010)

State Law reference— General powers and duties of mayor, A.C.A. § 14-48-111; assistant mayor or vice-mayor, A.C.A. § 14-48-112; absence of mayor, A.C.A. § 14-48-113.

Sec. 2-35. - Rules of order.

(a) Robert's Rules of Order, Newly Revised, 11th Edition, shall govern the proceedings of all regular, special, agenda and executive meetings of the board of directors, except as modified by A.C.A. § 14-48-101 et seq., and the provisions of this article. The city administrator shall provide a copy of Robert's Rules

of Order, Newly Revised, 11th Edition, to each member of the board of directors, the mayor and the city clerk.

(b) The mayor, assistant mayor or vice-mayor, or other person presiding over the meeting shall have the affirmative duty and authority to require the members of the board of directors and other persons present at the meeting to comply with the rules of order. The chairman of the meeting shall constantly maintain the decorum of the meeting, and shall have authority to order the removal of persons not on the board of directors violating the rules of order or disturbing the meeting. The chairman of the meeting may require the city administrator to provide a person having police authority to be present at a meeting to assist in the performance of the duties of the presiding officer. It is the purpose of this subsection to require the chairman of the meeting to enforce the rules of order and to maintain the decorum of the meeting without a request for rule compliance or objection to rule violation by a member of the board of directors. If a member of the board of directors believes there is a violation of the foregoing by a citizen, he may make a motion to end the presentation or assert a point of order. If said motion receives a second, there shall immediately be taken a vote of the board of directors on the motion to end the presentation. The chairman may enforce the point of order or may submit same to a vote of the board of directors.

(c) A majority of the board may on a motion, without second, order the previous question, which shall have the effect to cut off all debate and bring the board to a direct vote upon the immediate question or questions on which it has been asked and ordered. The previous question may be asked and ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments and include the item of business to its passage or rejection. It shall be in order, pending the motion for the previous question, or after the previous question shall have been ordered on its passage, for the mayor to entertain and submit without debate a motion to commit, with or without instructions, to a standing or select committee. All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether an appeal or otherwise, without debate.

(d) No member of the board of directors shall speak or debate on any item of business, which is not on the agenda at any regular meeting of the board of directors, except on a motion to add the item of business to the agenda as provided in this article, without the unanimous consent of the members of the board who are present.

(e) The minutes of each regular or special meeting of the board of directors shall be accurately summarized by the city clerk, reduced to writing, and a copy provided to each member of the board of directors and the mayor prior to the next regular meeting. No minutes of any past meeting of the board of directors shall be read at any subsequent meeting unless a reading is requested by a member of the board of directors.

(f) The chairman of each meeting of the board shall rotate the opportunity to first speak or debate on successive items of business among the members of the board.

(g) All special and standing committees of the board shall be appointed by the chairman of the meeting, subject to the approval of a majority of the board, which approval shall be recorded.

(h) The membership of standing committees shall terminate on December 31 of each year and new members appointed at the next regular meeting of the board. Special committees shall terminate upon the presentation to the board of a committee report stating that it is final or at the expiration of one year, whichever event occurs first.

(i) The referral of a matter or item of business to a committee shall have the effect of requiring the city administrator and his staff to fully support the committee in its work.

(Code 1992, § 2-35; Ord. No. 24-10, § 1, 5-18-2010)

Sec. 2-36. - Presentation of information requiring no board action.

(a) Any information or report may be presented to the board of directors by the city administrator, by the mayor, or by a member of the board at any meeting of the board. No official action shall be taken on such matter unless first placed on the agenda as provided herein.

(b) Any member of the board may request the city administrator to remain after any meeting for the purpose of informing the city administrator of specific citizen complaints or other matters not requiring the attention of the entire board, and the city administrator and his staff shall note the complaints or matters presented for action under [section 2-45](#), or for other appropriate action, and the director presenting the complaint or the matter shall be advised of the action taken.

(Code 1992, § 2-36; Ord. No. 24-10, § 1, 5-18-2010)

Sec. 2-37. - Agenda consideration at opening of meeting; public comment on agenda items.

(a) After each regular or special meeting of the board of directors is called to order and the roll is called, the mayor shall inquire of the members of the board of directors if any director desires to present any item of business or other matter to the board during the meeting, or which is not already on the agenda of a regular or special meeting. If the mayor receives an affirmative response, the subject of all such items of business or matters for consideration shall be promptly determined. No person, except a member of the board of directors, shall be permitted by the mayor to discuss any item of business or other matter presented at the meeting for a place on the agenda until the item of business is placed on the agenda, or other matter is approved by the board for presentation at the meeting. The mayor shall submit separately to the board for vote without motion each item of business or other matter proposed by a director. A director presenting items requiring board action, but not placed on the agenda of the meeting at which presented, shall be told by the mayor that the item will be on the agenda for the next regular meeting of the board, unless removed by a majority of the board. At each regular or special meeting of the board the mayor may then ascertain the number of persons present for each item on the agenda and shall rearrange the order of the agenda subject to the approval of the board, so that the business of the largest groups of people present is first on the agenda.

(b) After presentation of an item on the agenda of any regular or special meeting of the board, the mayor shall inquire of those present if anyone has a statement to make concerning the item under consideration. An applicant before the board may have up to five minutes to make an opening presentation. If a group of citizens opposes the applicant, they may have up to five minutes to make an opposing presentation. Each side shall have up to three minutes to make a rebuttal presentation. All other comments from citizens shall be limited to no more than two minutes per citizen. Any of these time limits may be extended by a consensus of the members of the board. Citizen comments must be relevant to the agenda item under consideration. After public comment is complete, the mayor shall ask the board for a motion to consider the item. Once a motion is made and seconded for approval of the item, the board may proceed with discussion and vote on said item.

(Code 1992, § 2-37; Ord. No. 24-10, § 1, 5-18-2010; Ord. No. 5-16, § 1, 1-19-2016)



Memo

To: Carl E. Geffken, City Administrator
From: Jeff Dingman, Deputy City Administrator
Date: 1/7/2021
Re: Discussion regarding City's role in vaccine distribution

At the January 5 regular meeting, the Board asked for a study session discussion about the City's role in assisting the efficient distribution and administering of the COVID-19 vaccine for Fort Smith area residents. Such discussion is included on the agenda for the January 12, 2021 study session.

The Fort Smith Fire Department and the Fort Smith Police Department, Chief Christensen and Chief Baker respectively and all other city staff, stand ready to assist with the orderly and efficient administration of the COVID-19 vaccine however that might be needed.

We have invited Kendall Beam, Sebastian County Emergency Management Director, and Matthew Hicks, Director of the Sebastian County Health Unit, to attend and participate in this discussion.

The objective, as I understand it, is to discuss distribution challenges associated with the vaccine and offer the City's resources to help address those challenges where applicable. This may range from providing facilities to administer a vaccine (easy to do) to helping with communication efforts to notify the appropriate groups about how & when they can receive a vaccine from their hospital, pharmacy, or health provider (harder to do) or anything in between.

Please contact me if you have questions regarding this agenda item.



UTILITY DEPARTMENT
MEMORANDUM

TO: Carl Geffken, City Administrator
FROM: Lance McAvoy, Utility Director
SUBJECT: Water Leak Mitigation Update
DATE: January 5, 2021
CC: Jeff Dingman, Deputy City Administrator

A handwritten signature in blue ink, appearing to read "Lance McAvoy".

The Utility Department continues to refine the way it is addressing leak complaints throughout the City. At the end of 2020, the Department had around 600 active leaks. These leaks include leaks submitted by customers and citizens as well as leaks found by Department staff.


The increase of leaks is due to both finding and reporting of leaks, Covid-19 protocols, and vacancies that were frozen due to Covid-19. In June the Department had 14 openings in the water line maintenance program and that grew to 20 in November. Even as we strive to fill positions some employees are leaving for other careers or personal reasons which exacerbates the process of hiring and training.

At the January 12, 2021, Board of Directors' Study Session the Department provided an update of the leak repair program, challenges in repairing the leaks, and changes to the mitigation program.

Please contact me if you have any questions or would like additional information.



UTILITY DEPARTMENT
MEMORANDUM

TO: Carl Geffken, City Administrator
FROM: Lance McAvoy, Utility Director 
SUBJECT: Utility Billing
DATE: January 8, 2021
CC: Jeff Dingman, Deputy City Administrator

The week of January 4, 2021, the Utility Department began to receive complaints of customer's bills being higher than expected. Staff investigated the cause and found that longer than normal read cycles were longer than the normal read cycle periods.

At the January 12, 2021, Board of Directors' Study Session the Department will discuss with the Board Members the cause of the extended cycle period, the corrective measures and timeline to bring the read cycles back on schedule, and the corrective measures the Department has put in place to prevent this from occurring in the future.

Please contact me if you have any questions or would like additional information.