

**MINUTES OF THE BOARD OF DIRECTORS REGULAR MEETING**

**TUESDAY ~ JULY 6, 2021 ~ 6:00 P.M.**

**BLUE LION, 101 NORTH 2<sup>ND</sup> STREET**

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 Director Kevin Settle.

On roll call the following members of the Board were all physically present: Directors Jarred Rego, Andre' Good, Lavon Morton, George Catsavis, Kevin Settle, Robyn Dawson, and Neal Martin. 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.

Mayor McGill reminded all that the monthly Town Hall meeting will be held immediately following adjournment of the regular meeting; therefore, since this was the first meeting held in the Blue Lion, he advised the Town Hall sign-in sheet is located at the front of the room near the City Clerk.

Regarding the new meeting location, City Administrator Carl Geffken extended much appreciation to Interior Designer Sarah Howe, Director of Information Technology Services Russell Gibson, Deputy City Administrator Jeff Dingman, and City Clerk Sherri Gard for their collective efforts to ensure everything was in place to utilize the new meeting facility.

The minutes of the June 15, 2021 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.

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1. Items regarding property located at 6500 South Zero Street:
  - A. Ordinance accepting certain territory into the city of Fort Smith, Arkansas (*petition of Harry G. Barr Company*) (*Planning*)
  - B. Ordinance amending the Master Land Use Plan map and rezoning identified property and amending the zoning map (*Master Land Use Plan: from Extraterritorial Jurisdiction Light Industrial, General Commercial, and Residential Detached to Industry / Rezoning: from Extraterritorial Jurisdiction Open One (ETJ O-1), Residential Single Family Duplex Medium Density (RSD-3), Residential Multifamily Low Density Special (RM-2 SPL), and Transitional (T) to a Planned Zoning District (PZD) at 6500 South Zero Street*) (*Planning*)

Director of Development Services Maggie Rice briefed the Board on the items advising Item No. 1A is per the request of Harry G. Barr Company d/b/a WeatherBarr Windows and Doors. The proposed annexation area is located south of Zero Street and west of South 66<sup>th</sup> Street, and contains six (6) acres. In accordance with Arkansas law, the Petition for Annexation was filed at the County Court of Sebastian County, Greenwood District. The Court found that the petition had been properly prepared and filed; therefore, the County Judge issued County Court Order No. 2021-0092 recommending the petition be forwarded to the City of Fort Smith for consideration.

Upon approval of Item No. 1A, the land usage designations must be determined whereby Item No. 1B accomplishes such for the annexed area, along with an additional acreage of approximately ten (10) acres. Due to the aforementioned, the proposed Master Land Use Plan and rezoning amendments encompass an area of 16.1 acres. Such are per the request of Morrison-Shipleigh Engineers, Inc., agent for Harry G. Barr Company. The purpose of the proposed amendments is to allow for expansion of the current facility, which

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includes additional parking to serve the current workforce and additional positions added upon project completion. A neighborhood meeting was held on May 31, 2021 with several individuals present that submitted inquiries regarding drainage, lighting, noise, and site access; and, Ms. Cheryl Davis, who expressed disapproval of any form of screening at the rear boundary that would obstruct her view across the Barr property. The Planning Commission held a public hearing on June 8, 2021 with no individual present to speak in opposition. The Planning Commission voted nine (9) in favor and zero (0) opposed to recommend the matters to the Board of Directors for consideration. Said recommendation for the rezoning was recommended with a condition that construction must comply with the submitted development plan.

Settle, seconded by Dawson, moved adoption of Item No. 1A. The motion included suspending the rule to allow the three (3) full readings of the ordinance to be by caption for the readings to occur on the same date. The City Clerk read the ordinance by caption for its readings. Prior to the vote, Directors Settle, Dawson, and Martin expressed much appreciation to the Barr family for their commitment to Fort Smith with Director Good also extending much gratitude to Tim Allen, Executive of the Chamber of Commerce, for working with businesses in the city to ensure they stay in Fort Smith.

The motion remaining on the floor to adopt Item No. 1A and the members all voting affirmatively, the Mayor declared the motion carried and the ordinance was adopted and given Ordinance No. 65-21.

Settle, seconded by Dawson, moved adoption of Item No. 1B. The motion included suspending the rule to allow the three (3) full readings of the ordinance to be by caption and

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for the readings to occur on the same date. The City Clerk read the ordinance by caption for its readings. Prior to the vote, Mayor McGill extended and reiterated much appreciation to the Barr family for their commitment to Fort Smith, as well as to Mr. Allen for his assistance in the proposed matters.

The motion remaining on the floor and the members all voting affirmatively, the Mayor declared the motion carried and the ordinance was adopted and given Ordinance No. 66-21.

Item No. 2 was a resolution of intent to issue Industrial Development Revenue Bonds *(WeatherBarr Windows & Doors) (Administration)*.

Administrator Geffken briefed the Board on the item advising the Harry G. Barr Company, d/b/a WeatherBarr Windows & Doors, is expanding its manufacturing facility at 6500 South Zero Street. The company requested the facility be annexed into the city limits of the City of Fort Smith, and such was just approved via adoption of Item No. 1A. As previously noted, the proposed expansion that will house additional manufacturing space for its windows and doors, which is an estimated \$10 million investment. In addition to the significant production expansion and retention of their current employees, the company will be adding one-hundred (100) new jobs with an approximate average wage of \$17.50 per hour. The proposed resolution is an inducement resolution, which a statement of intent to issue Industrial Revenue Bonds for the project. The principal advantage of industrial revenue bonds is the reduction of property taxes paid by the company. Upon completion of the process, the company and the City will enter into a Payment in Lieu of Taxes (PILOT) agreement whereby the company will pay an amount equal to forty-percent (40%)

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of the normal ad valorem property taxes on the real estate for a period of fifteen (15) years. The estimated value of this incentive is approximately \$801,614 based on the 15-year PILOT period. Issuance of the bonds will require approval of an ordinance by the Board, which will be presented for consideration when the bond issuance is ready to proceed. WeatherBarr Windows & Doors will be solely responsible for the debt service payments on the bonds; therefore, the City maintains no obligation to make the bond payments. Additionally, the company has indicated its intent to apply for participation in the Tax Back Program, which is a State program whereby companies may receive rebates on state & local sales taxes paid for building materials or equipment necessary to build or expand a business in Arkansas. Such also requires Board action via adoption of a resolution whereby such will be presented for consideration at a later date.

Settle, seconded by Morton, moved adoption of the resolution. Prior to the vote, Director Dawson simply reminded all the proposed is a \$10 million investment and extended much appreciation to company for such.

The motion remaining on the floor and the members all voting affirmatively, the Mayor declared the motion carried and the resolution was adopted and given Resolution No. R-87-21.

Item No. 3 was an ordinance rezoning identified property and amending the zoning map (*Industrial Light (I-1) to a Planned Zoning District (PZD) at 515 and 611 Phoenix Avenue*) (*Planning*).

Mrs. Rice briefed the Board on the item advising such is per the request of Mickle Wagner Coleman, agent for William and Pam Lovvorn. The subject area is located on the

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north side of Phoenix Avenue, between Towson and Wheeler Avenues, and contains 5.21 acres. The purpose of the proposed rezoning is to allow for a wood products manufacturing plan to be permitted by right and allow for other land uses within the land use chart included in the proposed PZD. The Planning Commission held a public hearing on June 8, 2021 with no individual present to speak in opposition. The Planning Commission voted nine (9) in favor and zero (0) opposed to recommend the matter to the Board of Directors for consideration.

Catsavis, seconded by Martin, 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 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 Morton requested confirmation that the subject business is already existing and that the rezoning request is to merely ensure consistent zoning for both properties.

Mrs. Rice confirmed such citing the property owner recently acquired one (1) of the parcels to expand the existing business, and the proposed rezoning is required for said expansion.

The motion remaining on the floor and the members all voting affirmatively, the Mayor declared the motion carried and the ordinance was adopted and given Ordinance No. 67-21.

Item No. 4 was an ordinance rezoning identified property and amending the zoning map (*Commercial Light (C-2) to Residential Single Family Medium/High Density (RS-3) at 705 South 24th Street*) (*Planning*).

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Mrs. Rice briefed the Board on the item advising such is per the request of Dr. Sheila Barnes. The subject property is located south of Rogers Avenue on the east side of South 24<sup>th</sup> Street, and contains an area of 0.16 acres. The purpose of the proposed rezoning is to allow the owner to sell the subject property as a single-family residence. A neighborhood meeting was held on May 28, 2021 with one (1) neighboring property owner in attendance; however, he conveyed support of the proposed rezoning. The Planning Commission held a public hearing on June 8, 2021 with no individual present to speak in opposition. The Planning Commission voted nine (9) in favor and zero (0) opposed to recommend the matter to the Board of Directors for consideration.

Settle, seconded by Dawson, 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 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 Settle inquired when and why the original zoning classification was set as commercial.

Mrs. Rice advised the current zoning classification has been in place since the 1960's and indicated such was most likely set due to close proximity to the Rogers Avenue commercial corridor.

Director Dawson questioned if the subject property has ever retained a residential zoning classification, and if the purpose of the proposed is due to Dr. Barnes is relocating her practice. If relocation is the intent, she simply indicated her desire that Dr. Barnes remain in Fort Smith.

Mrs. Rice advised that, to her knowledge, the subject property has never retained

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a residential zoning classification, and that Dr. Barnes has not revealed if the proposed is due to relocation.

The motion remaining on the floor and the members all voting affirmatively, the Mayor declared the motion carried and the ordinance was adopted and given Ordinance No. 68-21.

Item No. 5 was an ordinance amending the 2019 Unified Development Ordinance (*Home Occupation*) (*Planning*).

Mrs. Rice briefed the Board on the item advising the proposed amendments to the Unified Development Ordinance (UDO) is to comply with Act 659 of 2021, which was enacted by the State Legislature to encourage home-based entrepreneurship. Upon approval, accomplishes the following:

1. Home Occupation applications will now be permitted in any zoning district in the city.
2. Removal of space restrictions a home occupation can occupy within a residence.
3. Removal of the provision restricting the use of accessory structures in conjunction with the home occupation application.
4. All home occupation applications will be required to hold a neighborhood meeting as part of their application. In the past, a neighborhood meeting has been encouraged, but not required.

The Planning Commission held a public hearing on June 8, 2021 to consider the proposed UDO amendments with no individual present to speak in opposition. The Planning Commission voted nine (9) in favor and zero (0) opposed to recommend such to the Board of Directors for consideration.



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Morton, seconded by Rego, 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 for the readings to occur on the same date. The City Clerk read the ordinance by caption for its readings. Prior to the vote, there was lengthy discussion with multiple directors submitting numerous inquires regarding the current number of existing home occupation businesses within the city and the location of same; if a neighborhood meeting is required for home occupation applications; if the City still maintains the ability to regulate certain aspects of home occupations; if home occupations are now permitted in any zoning classification; requirements for home occupations; and, the process for approval.

Mrs. Rice advised there are numerous home occupation businesses located throughout the city. With regard to the requirement for neighborhood meetings, such were previously not required, but the UDO contained language that such were encouraged. Upon approval, neighborhood meetings will now be a requirement for home occupation applications. Due to the requirements of the new Act and in order to ensure all neighboring residents are aware of impending home occupations, the Planning Commission felt neighborhood meetings should be a requirement and included such in the proposed amendments. Although the Act encourages home-based businesses, the City of Fort Smith retains regulatory authority over signage and use of the property whereby the primary structure may be the only structure utilized for the business, and the primary use of the structure is for residential purposes. No accessory structures may be used for the home-based business. Home occupations may now be permitted in any zoning classification. A business licence is required even if said business creates no traffic issues for the subject

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neighborhood; however, no business license is required if a person is merely working from home for a company. The process for home occupation applications was provided citing neighboring property owners are notified of their opportunity to attend the Planning Commission meeting of consideration, The opportunity of appeal of the Planning Commission is in place whereby neighboring property owners may appeal such to the Board of Directors.

Regarding the primary use of residential structures for home-based businesses and at the request of Director Settle's inquiry regarding using a percentage of the square footage, City Attorney Jerry Canfield addressed the Board and recommended retaining the current requirement that the primary use of the residential structure be utilized for residential purposes.

Martin, seconded by Rego, moved to amend the proposed UDO amendment to remove the requirement for a neighborhood meeting and retain the previous language. Prior to the vote, there was continued discussion regarding the pros and cons of neighborhood meetings with indication that a neighborhood meetings can assist in addressing issues prior to formal consideration and that such could also delay the approval process.

The motion to amend the ordinance remaining on the floor, the members all voted affirmatively with the exception of Director Settle who voted, "no." The Mayor declared the motion carried and the ordinance stood amended.

The main motion to adopt the ordinance as amended remaining on the floor and the members all voting affirmatively, the Mayor declared the motion carried. Settle, seconded

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by Martin, 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. 69-21.

Item No. 6 was an ordinance ordering the owners of a certain dilapidated and substandard structure to demolish same, authorizing the City Administrator to cause the demolition of such structure to occur, and for other purposes *(1809 North 9th Street Building)*.

Director of Building Services Jimmie Deer briefed the Board on the item advising the structure has been determined to be unsafe and detrimental to the public welfare. The properties and the improvements, have been dilapidated, unsafe, unsightly, unsanitary, and detrimental to the public welfare for several years. The water service has been shut-off since February 2019. The Neighborhood Services Division maintains an open case on the property and has the owners in court. Staff has forwarded letters and spoke to the owners requesting they repair the home, but to no avail. Due to the condition of the structure and it becoming a nuisance to the neighborhood, unsafe property notices were posted on the building and letters were sent by certified mail on May 26, 2021. The letters were returned "unable to forward." The City has cleaned the subject property and currently maintains a cleanup lien for such in the amount of \$567.27. Upon approval, the proposed ordinance requires the property owners to either bring the property into compliance or demolish the structure within thirty (30) calendar days. If such is not accomplished within said time-frame, the City will ensure such is accomplished. The owners of the property have been notified of the proposed action; however, due to multiple attempts for compliance, staff recommends approval of the subject ordinance.

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Morton, 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 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 the structure has been in disrepair for several years; therefore, he expressed concern with the length of time to address the safety issue. Due to such, he requested a brief explanation of the process and inquired what can be done to expedite such.

Mr. Deer provided the requested explanation citing staff strives to work with the property owners in hopes they will bring the structure into compliance and make the necessary repairs, or demolish the structure themselves. The cost for demolition can be expensive with the subject structure estimated to cost approximately \$10,000.

Director Dawson extended much appreciation to staff for their efforts to work with the property owners citing they must "have the patience of Job", and questioned how long Mr. Deer has worked for the City of Fort Smith. Regardless, she also requested a brief explanation of the process regarding the filing of a lien and the process for collection.

Mr. Deer, who advised he has worked for the City of Fort Smith for forty (40) years as of July 7, provided the process advising after the demolition is completed by the City, the City will then file a lien for the work performed and provide a statement to the property owner for reimbursement. The demolition liens are handled in the same manner as property cleanup liens; however, City staff tries to refer the property owners to other public agencies to assist in bringing the structure into compliance or for potential sale of the property to agencies that will renovate such into low-income housing.

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Director Morton extended much appreciation for the City's efforts to work with property owners; however, he urged the process be expedited. He further inquired if property taxes has been paid on the property.

Mr. Deer indicated that if the matter is in the court system, the City cannot move forward with any action until the Judge directs same, which is what happened in this case. With regard to property taxes, such have been paid to date.

Director Martin requested the subject process be provided to the Board, and Director Good requested the process for when such properties are forfeited to the Commissioner of State Lands be included as well.

The motion remaining on the floor and the members all voting affirmatively, the Mayor declared the motion carried. Settle, seconded by Good, moved adoption of Section 5 the emergency clause. The members all voting affirmatively, the Mayor declared the motion carried and the ordinance was adopted and given Ordinance No. 70-21.

Item No. 7 was a resolution of the Board of Directors of the city of Fort Smith certifying local government endorsement of business to participate in the Tax Back Program (as authorized by Section 15-4-2706(d) of the Consolidated Incentive Act of 2003) (*Owens-Corning Non-Woven Technology, LLC*) (*Administration*).

Mr. Dingman briefed the Board on the item advising the City has received a request from the Arkansas Economic Development Commission and the Fort Smith Regional Chamber of Commerce for participation in the state "Tax Back" program authorized by the Consolidated Incentive Act of 2003 on behalf of Owens Corning Non-Woven Technology, LLC.

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The program allows for new or expanding businesses to request refunds of sales taxes paid on building materials, new equipment and other eligible expenses incurred due to construction and/or expansion. The "Tax Back" program allows for new or expanding businesses to request refunds of sales taxes paid on building materials, new equipment and other eligible expenses incurred due to construction and/or expansion. Owens Corning Non-Woven Technology, LLC plans a significant investment to construct a new manufacturing and warehouse facility to support new technology and solve capacity constraints at its existing location on Planters Road in Fort Smith. The project will require over \$100 million for land, building construction, up-fit, utilities, machinery, equipment, furniture and fixtures. The Owens Corning Non-Woven Technology, LLC project will net five (5) new jobs with each at an average annual wage of \$85,000 per year.

Settle, seconded by Martin, moved adoption of the resolution. Prior to the vote, Director Martin noted that although the number of added positions is small, the average annual salary of \$85,000 indicates such are significant positions.

Director Settle noted that the Tax Back Program is a way the City can assist companies and helps to keep companies stay in Fort Smith. Regardless, he extended much appreciation to all involved with the proposed, i.e. City of Fort Smith staff and Chamber of Commerce.

Mayor McGill also extended much gratitude to the Chamber of Commerce for their efforts associated with Fort Smith business retention. The motion remaining on the floor and the members all voting affirmatively, the Mayor declared the motion carried and the resolution was adopted and given Resolution No. R-88-21.

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Item No. 8 was a resolution accepting bid and authorizing a contract with ACS Playground Adventures, Inc. for construction of Riverfront Drive Sports Fields Inclusive Playground (\$1,039,958.00 / Parks / Budgeted - 1/8% Sales and Use Tax) ♦ Future Fort Smith Item

Director of Parks and Recreation Doug Reinert briefed the Board on the item advising the proposed project is for the construction of an all-inclusive playground at the Riverfront Drive Sports Fields, which is included in the Parks 2021-2025 Parks Capital Improvement Plan approved by the Board of Directors on November 10, 2020 via Resolution No. R-140-20. The matter was presented to the Parks and Recreation Commission at a special meeting on June 14, 2021 whereby Rob Green with ACS Playground Adventures, Inc. presented the inclusive playground design. In addition to the all inclusive amenities, the proposed playground will also serve as the city's first playground with rubber impact surfacing in lieu of the traditional wood fiber mulch.

Morton, seconded by Rego, moved adoption of the resolution. Prior to the vote, Director Dawson spoke in favor of the item citing she loves the proposed project; however, she expressed concern that adding another playground will further impact the Parks and Recreation Department's ability to properly maintain existing parks throughout the city.

Administrator Geffken concurred that maintenance issues have been an issue; therefore, he forewarned that the Parks and Recreation Department will be requested additional personnel in the 2022 Budget.

Director Catsavis expressed concern with adding additional park amenities with the current issues of maintenance for existing parks; therefore, he indicated his intent to vote

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against the proposed item.

Director Morton spoke in favor of the project citing such will make the city more appealing; however, he expressed concern that no restrooms are included within the subject project. With regard to maintenance of parks, he inquired about contracting with an outside source to ensure proper maintenance, at least until the adequate staff is employed to ensure the level of excellence for same is achieved.

Mr. Reinert indicated that although restrooms are not included within the proposed project, the site for such will be prepared for installation of restrooms very soon after completion of this project. Due to safety concerns expressed, the inclusive playground will be fenced to ensure no child has access to the nearby highway.

Director Settle inquired why the subject location was chosen for the inclusive playground rather than Creekmore or Martin Luther King Jr. Parks, and further inquired if the playground will be lighted.

Mr. Reinert advised that inclusive playgrounds are planned for Creekmore and Martin Luther King Jr. Parks; however, the proposed site was selected to provide an amenity as such is currently just sports fields. The proposed project will not be lighted at this time

Director Martin indicated his desire that the Parks and Recreation CIP include less new parks and more expansion or revitalization of existing parks.

Director Good spoke in favor of the proposed; however, he reminded all of necessary improvements or reconstruction of the bath house at Creekmore Park swimming pool and that maintenance is of great concern. Regardless, he further recommended the City consider constructing a walking trail to the subject park from Spradling Avenue



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whereby Administrator Geffken indicated such will be considered.

Director Rego noted the importance of highlighting the project and encourage the City to execute a massive media push regarding same.

Mayor McGill noted that those companies investing in the community by either relocation or expansion urge “*amenities, amenities, amenities*”; therefore, he noted that projects of like nature “*pay for themselves*” when companies opt to relocate to the area.

The motion remaining on the floor, the members all voted affirmatively with the exception of Director Catsavis who voted, “no.” The Mayor declared the motion carried and the resolution was adopted and given Resolution No. R-89-21.

Item No. 9 was a resolution authorizing acquisition of permanent sewer utility easement for construction and maintenance of the Skyline Estates Capacity Improvements (*Utility*) ♦ *Future Fort Smith Item* • *Consent Decree Item*

Director of Utility Lance McAvoy briefed the Board on the item advising the subject project is a Consent Decree Capacity Remedial Measures Plan Project, which consists of connecting two sanitary sewer lines to increase sewer capacity to the Skyline Estates area of Fort Smith. The City will install a new twelve (12) inch sanitary sewer line between two (2) existing manholes to connect the 2 separate sanitary sewer lines. The project requires the acquisition of 2 sewer utility easements, one (1) from Pioneer Railcorp and 1 from Fort Smith Public Schools. City staff expects Fort Smith Public Schools will donate the necessary sewer utility easement on their property. Union Pacific Railroad and Fort Smith Railroad, a subsidiary of Pioneer Railcorp, owns a shortline railroad that runs east/west between the 2 sewer lines. City staff contacted Pioneer Railcorp in December of 2020 to acquire an easement to be installed via boring under the railroad line. Pioneer Railcorp

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requested a three thousand five hundred dollar (\$3,500) application fee, and an additional one thousand dollar (\$1,000) annual permit fee with one percent (1 %) increase per annum. City Attorney Jerry Canfield has discussed the sanitary sewer easement with Pioneer Railcorp's counsel on multiple occasions with no resolution. Because of the project's scheduling, staff recommends approval of the proposed item, which includes authorizing the City Administrator and City Attorney to proceed with eminent domain actions to acquire the needed sewer utility easement. As always, representatives of the City will continue to negotiate with the property owners to reach a mutually agreeable settlement.

Settle, seconded by Morton, moved adoption of the resolution. Prior to the vote, Director Settle questioned if such includes only one (1) railroad crossing and its location whereby Mr. McAvoy confirmed and provided the location.

City Attorney Jerry Canfield also addressed the Board advising acquisition of railroad crossings involve considerable discussion with railroad legal representatives. The proposed has been no different; however, although some provisions have been offered and accepted, some have not. Due to such and although much confidence was conveyed that an agreement will ultimately be reached, he spoke in favor of the item to ensure the project may proceed in a timely manner.

The motion remaining on the floor and the members all voting affirmatively, the Mayor declared the motion carried and the resolution was adopted and given Resolution No. R-90-21.

The consent agenda (Item No. 10) was presented for consideration, the items being as follows:

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- A. Resolution authorizing a change order for a time extension for the Massard Road Widening, Phase 2, Project No. 18-01-A *(151 days only / Engineering)*
- B. Resolution accepting completion of and authorizing final payment for the Massard Road Widening, Phase 2, Project No. 18-01-A *(\$96,346.48 / Engineering / Budgeted - Sales Tax Program)*
- C. Resolution accepting bid for the purchase of two (2), one-ton crew cab trucks with flatbed body and hoist for the Parks and Recreation Department *(\$130,360.00 / Parks / Budgeted - 1/8% Sales and Use Tax, and Capital Outlay - Vehicles)*
- D. Resolution accepting bid and authorizing the purchase and maintenance of waste collection fleet vehicle tires for the Solid Waste Services Department *(Not to exceed \$300,000.00 / Solid Waste Services / Budgeted - Various Programs - Maintenance Equipment Account)*

Regarding Item No. 10D, Administrator Geffken advised an issue has arose whereby the local bidder preference could have potentially assessed; therefore, he requested said item be withdrawn from consideration pending determination.

Morton, seconded by Martin, moved to remove Item No. 10D from Board consideration. The members all voting affirmatively, the Mayor declared the motion carried.

Morton, seconded by Martin, moved adoption of all remaining consent agenda items. Prior to the vote and regarding Item No. 10A, Director Morton requested confirmation that the additional days requested was weather related whereby Director of Engineering Stan Snodgrass responded affirmatively clarifying that such were weather related because the ground was saturated.

The motion remaining on the floor and the members all voting affirmatively, the Mayor declared the motion carried and the resolutions were adopted and given Resolutions No. R-91-21 through R-93-21 respectively.

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

▶ Mayor McGill

- Re:
1. Announced the Mayor's 4<sup>th</sup> of July Celebration was a success
  2. Requested an update regarding flooding issues.

Administrator Geffken advised that grants are being researched and potential for inclusion of funds in the budget. Regardless, staff is working on the matter to determine the best solution to the issues and funding for same.

3. The city of Fort Smith was recently named as an United Nations International City of the Arts for its growth and arts accomplishments. Such designation has only been granted to nine (9) cities in the United States.

▶ Director Rego

- Re:
1. Extended much appreciation to all involved in making the Mayor's 4<sup>th</sup> of July Celebration a success.
  2. Regarding flooding issues, if funding is available, he urged the City to consider acquisition of properties to mitigate the matter.

▶ Director Dawson

- Re: Extended much gratitude to all those involved in ensuring the new meeting facility, i.e. Blue Lion, was ready for this evening's meeting.

▶ Director Settle

- Re:
1. Regarding the expansion of Parrot Island Water Park, he announced the first new tower was installed today.
  2. With regard to the Blue Lion, he requested that Administration or the Planning Departments conduct a history investigation of the building and that a study session be scheduled to discuss the naming of the facility be scheduled in the near future.

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▶ Director Martin

- Re: 1. Noted the Mayor's 4<sup>th</sup> of July Celebration was awesome citing such was a "great show!"
2. Regarding the aforementioned United Nations International City of the Arts designation, he suggested making the United Nations Ambassador of the Arts an honorary citizen of the city of Fort Smith.

▶ Administrator Geffken

- Re: Inquired of the Board's interest in changing the time for study sessions back to noon.

There being no further business to come before the Board, Settle moved that the meeting adjourn. The motion was seconded by Good, and the members all voting aye, the Mayor declared the motion carried and the meeting stood adjourned at 7:49 p.m.

**APPROVED:**

  
MAYOR

**ATTEST:**

  
CITY CLERK, acting