



MAYOR

George B McGill

**ACTING CITY
ADMINISTRATOR**

Jeff Dingman

CITY CLERK

Sherri Gard

BOARD OF DIRECTORS

Ward 1 - Jarred Rego

Ward 2 - Andre' Good

Ward 3 - Lee Kemp

Ward 4 - George Catsavis

At-Large Position 5 - Christina Catsavis

At-Large Position 6 - Kevin Settle

At-Large Position 7 - Neal Martin

AGENDA ~ REVISED
Fort Smith Board of Directors
STUDY SESSION & SPECIAL MEETING
July 15, 2025 ~ 6:00 p.m.
Blue Lion
101 North 2nd Street, Back Room
Fort Smith, Arkansas

THIS MEETING IS BEING TELECAST LIVE AT THE FOLLOWING LINK:

https://fortsmithar.granicus.com/ViewPublisher.php?view_id=1

STUDY SESSION

CALL TO ORDER

ITEMS OF BUSINESS – STUDY SESSION

1. Review requests of Fort Smith Cemeteries, Inc. regarding Rose Lawn, Holy Cross, and Forrest Park cemeteries (*City Administrator*)
2. Discussion regarding policing of community special events and the provision of other city services ~ *Director Kemp requested at the April 29, 2025 study session ~ (Police)*
3. Discussion regarding waiver of parking meter fees ~ *Fees waived through August 1, 2025 per Resolution No. R-2-25 adopted January 7, 2025 ~ (Finance)*
4. Review preliminary agenda for the July 22, 2025 regular meeting (*City Clerk*)

CITIZENS FORUM

ADJOURN

SPECIAL MEETING

(Called by Directors Lee Kemp, Neal Martin, Andre' Good and George Catsavis on July 11, 2025)

CALL TO ORDER

ROLL CALL

PRESENTATION BY MEMBERS OF THE BOARD OF DIRECTORS OF ANY ITEM OF BUSINESS NOT ALREADY ON THE AGENDA FOR THIS MEETING *(Section 2-37 of the Fort Smith Municipal Code)*

ITEM OF BUSINESS – SPECIAL MEETING

EXECUTIVE SESSION

- Interview two (2) candidates for Director of Internal Audit

ADJOURN



MEMORANDUM

TO: Honorable Mayor & Board of Directors
FROM: Jeff Dingman, Acting City Administrator
DATE: July 8, 2025
SUBJECT: Fort Smith Cemeteries, Inc.

SUMMARY

Enclosed is a memorandum from Marty Clark, President of Fort Smith Cemeteries, Inc., proposing municipal oversight and long-term operations of Roselawn/Holy Cross, Forest Park, and Washington Cemeteries. Mr. Clark will be present on July 15th to discuss the proposal.

ATTACHMENTS

1. [7-15-25 Item 1859 Fort_Smith_Cemeteries.pdf](#)

MEMORANDUM

TO: Board of Directors, City of Fort Smith

FROM: Marty Clark, President, Fort Smith Cemeteries, Inc.

DATE: July 15, 2025

SUBJECT: Proposed Municipal Oversight and Long-Term Operation of Historic Fort Smith Cemeteries

I. Executive Summary

This memorandum presents a two-part message from Fort Smith Cemeteries, Inc. (FSCI) to the City of Fort Smith. First, Vice President Ed Ralston will outline the untenable financial condition and operational breakdown of our organization. Second, I will speak to the moral, civic, and long-term rationale for the City to assume responsibility for Roselawn/Holy Cross, Forest Park, and Washington Cemeteries.

These cemeteries are of significant historic and cultural importance, and their long-term care can no longer be left to a struggling nonprofit. We believe that municipal stewardship is the only viable path forward.

II. Background: Fort Smith Cemeteries, Inc.

Fort Smith Cemeteries, Inc. was formed in 2021 as a 501(c)(3) nonprofit to rescue and stabilize three failing cemeteries previously held by private owners. Under the direction of founder Bill Wilson, the organization borrowed \$800,000 to fund immediate improvements—primarily at Roselawn/Holy Cross Cemetery. While drainage, paving, and fencing projects were completed there, little investment was made at Forest Park Cemetery.

After Mr. Wilson was diagnosed with dementia and ceased involvement in 2022, the nonprofit faced financial collapse. Equipment was misappropriated, and board members resigned. A new board, including myself, Ed Ralston, and Andy Brown, was appointed. We have since stabilized operations, negotiated debt forgiveness on \$200,000, and halted interest accrual on the remaining \$600,000 loan.

Despite these efforts, ongoing operations are unsustainable. Forest Park Cemetery, in particular, faces severe drainage and road infrastructure problems that impair use and undermine public confidence. Fundraising is nearly impossible under current conditions.

III. Part I: Financial Breakdown & Municipal Path Forward (Ed Ralston)

- The current nonprofit model cannot generate adequate revenue to sustain cemetery maintenance.
- Deferred infrastructure repairs at Forest Park total over \$150,000, with no available trust reserves.
- Perpetual Care Trusts are imbalanced; Forest Park is underfunded while Roselawn/Holy Cross has a modest trust.
- The City already operates a public cemetery and has staff and systems in place to manage these assets.
- Municipal oversight offers economies of scale, improved trust management, and reliable stewardship.

IV. Part II: A Moral and Civic Imperative (Marty Clark)

- Fort Smith holds no greater duty than honoring and preserving the final resting places of its citizens.
- Public trust is eroding as disrepair threatens the dignity of our cemeteries.
- State law requires Perpetual Care Trusts to remain tied to their respective cemeteries. Upon transfer, these funds would remain active and available to the City for care and upkeep.
- We are requesting City involvement not just as a financial necessity, but as a cultural and civic obligation.
- A public transition ensures continuity, compliance with Arkansas Cemetery Law, and protection of the perpetual care principle.

V. Request and Next Steps

We are requesting the City of Fort Smith to:

1. Assume full operational responsibility for Roselawn/Holy Cross, Forest Park, and Washington Cemeteries.
2. Accept the transfer of perpetual care trust obligations and funds as regulated by Arkansas law.

3. Engage legal and accounting teams to begin transition planning and formal conveyance.
4. Develop a public-facing communication plan to assure families and stakeholders.

We look forward to presenting this proposal on July 15, 2025, and appreciate your time and commitment to the legacy and future of these sacred places.

Respectfully,

Marty Clark

President, Fort Smith Cemeteries, Inc.



MEMORANDUM

TO: Jeff Dingman, Acting City Administrator
FROM: Danny Baker, Chief of Police
DATE: July 7th, 2025
SUBJECT: Special Events

SUMMARY

Parades and special events organized by public, private, and non-profit entities are important contributors to the economic and social well-being of a community. In addition to attracting commerce and showcasing local amenities, properly organized and managed community events provide citizens and visitors with meaningful social interactions and cultural exchanges helping to create and maintain a healthy, vibrant community. Because these events often impact public rights-of-way and/or draw large crowds of people together creating an enhanced need for safety measures, the planning and execution of these events must follow a comprehensive set of rules and involve multiple public agencies such as Police, Fire, EMS, Parks, Solid Waste, and others.

As can be witnessed from numerous tragedies around the country involving mass casualty incidents and horrific acts involving vehicles, we cannot cut corners or leave to chance anything related to public safety. These necessary services carry associated costs which, in some cases, are being borne by the City of Fort Smith. The Fort Smith Parades and Special Events ordinance, attached to this memo, provides a mechanism for recovering costs and expenses of public services such as police salaries, equipment use, sanitary toilets, garbage collection, etc. Current discussions have centered around the application of those mechanisms and the need to establish a standard.

Police Department Staff has researched several Arkansas cities to determine their policies regarding costs associated with special events. Their findings and recommendations are included in an attached memo. I, along with PD staff, will be on hand to answer questions and help guide the discussion at the July 15th Study Session.

ATTACHMENTS

1. [7-15-25 Item 1822 Sec._24_201.____Permits_for_parades_and_special_events..pdf](#)
2. [7-15-25 Item 1822 Sec._18_81.____Permits_for_public_assembly_or_special_events_in_city_parks..pdf](#)
3. [Command Staff Memo.pdf](#)

Sec. 24-201. Permits for parades and special events.

- (a) *Title.* This section shall be known as the "City of Fort Smith Parade and Special Events Ordinance."
- (b) *Purpose.* This section establishes standards for the issuance of permits for parades, athletic events, and other special events in the city in order to recover the full cost of such events to the city and to preserve and protect the public health and safety.
- (c) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Applicant means any person or organization who seeks a special event permit to conduct or sponsor an event. An applicant must be 18 years of age or older.

Athletic event means an occasion in which a group of persons collectively engage in a sport, or form of physical exercise, and which is conducted on any city street, sidewalk, alley, public right-of-way, or other property owned or controlled by the city, which obstructs, delays, impedes, impairs or interferes with the usual, normal and free pedestrian or vehicular use, or does not comply with traffic laws and controls. Athletic events include bicycle and foot races.

Block party means a festive gathering on a residential street requiring a closure of a street, or portion thereof, to vehicular traffic, and use of the street for the festivity which may include barbecues, picnics, music, games or dances.

Chief of police means the chief of police or his designated agent.

City administrator means the city administrator or his designated agent.

Event means a parade, athletic event, or other special event.

Parade means and includes a parade, march, procession, pageant, review, ceremony, or exhibition consisting of persons, animals or vehicles, or a combination thereof, which is conducted in, upon, or along any portion of any city street, sidewalk, alley, public right-of-way, or other property owned or controlled by the city, which obstructs, delays, impedes, impairs or interferes with the usual, normal and free pedestrian or vehicular use, or does not comply with traffic laws or controls.

Permit application fee means the fee to be paid by the special event permit applicant at the time the application is filed with the chief of police. A fee schedule shall be authorized or established by the board of directors and shall cover the actual full costs (or a portion thereof) of processing and investigating special event applications.

Permittee means any person or organization who has been issued a special events permit.

Special event means a street fair, art and craft show, carnival, block party, or other neighborhood activity, picnic, dance, rally, promotional or fund raising activity, community celebration and observance, or other organized activity which is conducted on any city street, sidewalk, alley, public right-of-way, or other property owned or controlled by the city, which obstructs, delays, impedes, impairs or interferes with the usual, normal and free pedestrian or vehicular use, or which requires, in the judgment of the chief of police, the deployment of peace officers for crowd control.

- (d) *Permit required.* Any person desiring to conduct or sponsor a parade, athletic event, or other special event in the city shall first obtain a special event permit. A special event permit is not required for the following:
 - (1) Funeral processions.
 - (2) Parades involving a total of 40 or fewer pedestrians marching along a parade route which is restricted to marching on sidewalks, and crossing streets only at pedestrian crosswalks in accordance with traffic

-
- regulations and controls. Pedestrians participating in the parade shall cross crosswalks in units of 15 or less, and shall allow vehicles to pass between each unit.
- (3) School events conducted under the authority of the state activities association.
 - (4) Block parties as defined herein, provided that a street closing permit must be obtained from the police department at least ten business days prior to the block party. If the chief of police, in his sole discretion, determines that the street closure poses a greater detriment than benefit, no street closing permit shall be issued.
- (e) *Application procedure/fee.*
- (1) Any person desiring to sponsor a parade, athletic event, or other special event which requires a special event permit, shall apply for a special event permit by filing a verified application with the chief of police on a form supplied by the chief of police. Applications shall be submitted not less than 45 days before the event date.
 - (2) Should the applicant intend for alcoholic beverages to be sold or otherwise distributed at the event, the application for a permit shall be accompanied by:
 - a. A copy of the division of alcoholic beverage control of the state (ABC) permit request.
 - b. A written plan for preventing the sale or distribution of alcoholic beverages to minors.
 - c. A written plan for preventing participants from bringing alcoholic beverages into the event location.
 - (3) Upon a showing of good cause, the chief of police shall consider an application which is filed after the deadline if there is sufficient time to process and investigate the application and obtain police services for the event. Good cause may be demonstrated by a showing that the circumstances which gave rise to the permit application did not reasonably allow timely filing and that the event is for the purpose of exercising the right of free speech.
 - (4) The application for a permit shall be accompanied by a nonrefundable application fee in the amount determined by the board of directors. The city administrator may, at his discretion, waive the application fee.
- (f) *Action on application.* The chief of police shall approve, conditionally approve, or deny an application. If the application is denied, or conditionally approved, the chief of police shall inform the applicant in writing of the grounds for denial, or the reason for a change in the date, time, route, or location of the event. The applicant shall be notified of any permit conditions at the time the application is approved.
- (g) *Grounds for denial of application or revocation for a special event permit.* The chief of police may approve an application for a special event permit unless he determines, from all pertinent information, any of the following which shall be justification to deny an application or to revoke a previously issued permit:
- (1) Information contained in the application, or supplemental information requested from the applicant, is found to be false in any material detail;
 - (2) The applicant fails to supply requested information within five calendar days after having been notified of the additional information or documents required;
 - (3) The sole purpose of the event is the advertising of any product, good, ware, merchandise or event, and the event is to be held solely for private profit and not for First Amendment expression;
 - (4) A special event permit application has been received prior in time, or has already been approved, to hold another event at the same time and place requested by the applicant, or so close in time and place as to cause undue traffic congestion, or the police department is unable to meet the needs for police services for both events;

-
- (5) The time, route, or size of the event will substantially interrupt the safe and orderly movement of traffic contiguous to the event site or route, or disrupt the use of a street at a time when it is usually subject to traffic congestion;
 - (6) The concentration of persons, animals or vehicles at the site of the event or the assembly and disbanding areas around an event will prevent or unreasonably hinder proper police, fire, or ambulance services to areas contiguous to the event;
 - (7) The size of the event will require diversion of so great a number of police officers to ensure that participants stay within the boundaries or route of the event, or to protect participants in the event, as to prevent or unreasonably hinder normal protection to the remainder of the city;
 - (8) The parade, or other event moving along a route, will not move from its point of origin to its point of termination in three hours or less;
 - (9) The location of the event will substantially interfere with any construction or maintenance work scheduled to take place upon or along the city streets or any public right-of-way;
 - (10) The event shall occur at a location adjacent to a school or class thereof at a time when it is in session, and the noise created by the activities of the event would be likely to substantially disrupt the educational activities of the school or class thereof; or
 - (11) The applicant has failed to obtain the necessary division of alcoholic beverage control of the state (ABC) permit or permits or has failed to comply with deadlines for obtaining such permits as may be required by the city or the state.
- (h) *Permit conditions.* The chief of police may also condition the issuance of a special events permit by imposing reasonable requirements concerning the time, place, and manner of the event, and such requirements as are necessary to protect the safety of persons and property, and the control of traffic; provided such conditions shall not unreasonably restrict the right of free speech. Such conditions may include, but are not limited to:
- (1) Alteration of the date, time, route or location of the event proposed on the permit application;
 - (2) Conditions concerning the area of assembly and disbanding of parade or other activities occurring along a route;
 - (3) Conditions concerning accommodation of pedestrian or vehicular traffic, including restricting the event to only a portion of a street traversed;
 - (4) Requirements for the use of city approved traffic cones or barricades;
 - (5) Requirements for provision of first aid or sanitary facilities;
 - (6) Requirements for security personnel;
 - (7) Requirements for the premises to have adequate ingress and egress;
 - (8) Requirements for providing notice of permit conditions to event participants;
 - (9) Restrictions on the number and type of vehicles, animals, or structures at the event, and inspection and approval of floats, structures, and decorated vehicles for safety by the city fire department;
 - (10) Restrictions prohibiting bonfires, campfires, or open flame without written approval from the city fire department;
 - (11) Compliance with animal protection ordinances and laws;
 - (12) Requirements for use of garbage containers, cleanup and restoration of city property to include the removal of animal feces;
 - (13) Restrictions on use of amplified sound;

-
- (14) Requirements for other reasonable noise controls to protect the public peace;
 - (15) Restrictions prohibiting participants from bringing alcoholic beverages into the event location;
 - (16) Restrictions limiting the sale of alcoholic beverages to no more than two single-serving containers per person per transaction;
 - (17) Restrictions prohibiting the sale of alcoholic or other beverages in glass containers and/or other containers which may be deemed unsafe or may adversely affect the environment;
 - (18) Restrictions prohibiting the use of tobacco products, except in designated areas, when the anticipated number of persons attending the event will be of such density that use of tobacco products could affect the health, well-being or comfort of others;
 - (19) Requirements that the applicant provide and place printed signs on which the words "no smoking" shall appear in letters at least four inches high in conspicuous places, when applicable;
 - (20) Requirements assuring the use of premises shall not violate the national electric safety code;
 - (21) Compliance with any relevant ordinance or law and obtaining any legally required permit or license.
- (i) *Permit issuance.* The chief of police shall issue the special events permit once the application has been approved, and the applicant has agreed in writing to comply with the terms and conditions of the permit, and the following subsections of this section have been complied with:
 - (1) Subsection (j) pertaining to indemnification.
 - (2) Subsection (k) pertaining to insurance.
 - (3) Subsection (l) and (m) pertaining to deposits (when applicable).
 - (j) *Indemnification agreement.* Prior to the issuance of a special event permit, the permit applicant and authorized officer of the sponsoring organization (if any), must sign an agreement to reimburse the city for any costs incurred in repairing damage to city property proximately caused by the actions of the permittee/sponsoring organization, its officers, employees, or agents, or any person who was, under its control insofar as permitted by law. The agreement shall also provide that the permittee/sponsoring organization shall hold harmless, indemnify and defend the city, its officials, agents and employees against any claims, costs, damages, demands, liability and notices, or any of these, arising or resulting from any damage or injury proximately caused by actions of the permittee/sponsoring organization, its officers, employees, or agents, or any person under its control in connection with the permitted event, regardless of whether the city is actively negligent or passively negligent. Persons who merely join in a parade or event are not considered by that reason alone to be under the control of the permittee/sponsoring organization.
 - (k) *Insurance.*
 - (1) The applicant/sponsor of an event must possess or obtain public liability insurance to protect against loss from liability for damages on account of bodily injury and property damage arising from the event. Such insurance shall name on the policy or by endorsement as additional insureds the city, its officers, employees, and agents. Insurance coverage must be maintained for the duration of the event. Coverage shall be a comprehensive general liability insurance policy with the following minimum limits:
 - a. \$250,000.00 each person bodily injury, \$500,000.00 each occurrence bodily injury, \$100,000.00 each occurrence property damage;
 - b. \$500,000.00 each occurrence combined single limit bodily injury and property damage;
 - c. If food or nonalcoholic beverages are sold or served at the event, the policy must also include an endorsement for products liability in an amount not less than \$250,000.00. If alcoholic beverages

are sold or served at the event, the policy must also include an endorsement for liquor legal liability in an amount not less than \$500,000.00.

- (2) A copy of the policy or a certificate of insurance along with all necessary endorsements must be filed with the chief of police no less than five days before the date of the event unless the chief of police for good cause waives the filing deadline. The special event permit shall not be issued until after the insurance policy or certificate of insurance along with necessary endorsements have been filed by the applicant/sponsor and approved by the chief of police.
- (3) The insurance requirements of subsections (k)(1) and (k)(2) of this section shall be waived by the chief of police for nonathletic events if the following conditions are satisfied:
 - a. The applicant or an officer of the sponsoring organization signs a verified statement that the event's purpose is First Amendment expression, and that he has determined that the cost of obtaining insurance is so expensive that it would constitute an unreasonable burden on the right of First Amendment expression, or that it is impossible to obtain insurance coverage. The statement shall include the name and address of at least one insurance agent or other source of insurance coverage contacted to determine insurance premium rates for insurance coverage.
 - b. The chief of police may, in his discretion, require the applicant/sponsor to apply for insurance coverage for the event and to provide any information pertinent to qualifying for insurance coverage that meets the requirements of subsections (k)(1) and (k)(2) of this section. The premium for the insurance coverage may be paid by the city rather than the applicant/sponsor.
- (l) *Cleanup deposits for certain special events.* The applicant/sponsor of an event involving the sale of food or beverages, erection of structures, horses or other large animals, or water aid stations shall be required to provide a cleanup deposit prior to the issuance of a special event permit. The cleanup deposit shall be in the amount established by the city administrator. The area used for the permitted event shall be cleaned and restored to the same condition as existed prior to the event. If the property used for the event has not been properly cleaned or restored, the applicant/sponsor shall be billed for the actual cost incurred by the city for cleanup and restoration, and the cleanup deposit shall be applied toward payment of the bill.
- (m) *Event costs to be borne by applicant.* All event costs including, but not limited to, costs for cleanup, repair, fire services and police services, shall be the responsibility of the applicant/sponsor. The applicant/sponsor shall be billed the actual costs incurred by the city for such services as determined by the city administrator. The bill shall become due and payable to the city upon its receipt. If the applicant/sponsor disputes the bill, he may appeal to the city administrator within ten days after its receipt. The city administrator may, at his discretion, require the applicant to submit a cash bond to cover estimated costs to the city prior to the issuance of a permit.
- (n) *Duties of permittee/sponsor of event.* The permittee/sponsor of an event shall comply with all terms, and conditions of the special event permit. Each permittee/sponsor of an event shall ensure that the person leading a parade or other activity along a route, or the person in charge of any other activity shall carry the special event permit on his person for the duration of the event. Each permittee/sponsor of an event shall ensure the area used for the permitted event is cleaned and restored to the same condition as existed prior to the event, immediately following the completion of the event.
- (o) *Unlawful to sponsor or participate in an event without a permit.* It shall be unlawful for any person to sponsor or conduct a parade, athletic event or other special event requiring a special event permit, unless a permit has been issued for the event. It shall be unlawful for any person to participate in such an event with the knowledge that the sponsor of the event has not been issued the required permit. It shall be unlawful for any person to interfere with or disrupt a lawful parade, athletic event, or other special event.
- (p) *Unlawful to exceed scope of permit.* The special event permit authorizes the permittee/sponsor to conduct only such event as is described in the permit, in accordance with the terms and conditions of the permit. It is

unlawful for the permittee/sponsor to violate the terms and conditions of the permit, or for any event participant to violate the terms and conditions of the permit.

- (q) *Contract.* The applicant/sponsor, in tendering his application and receiving a permit, agrees and contracts with the city that he will not exclude at any time any city inspector, police officer or firefighter on duty from inspecting, maintaining, and assuring the health, safety and welfare of the citizens of the city.
- (r) *Penalties.* Any person violating any provision of the parade and special events ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished as set forth in section 1-9.

(Code 1992, § 24-201; Ord. No. 55-03, § I—XIX, 7-15-2003)

Sec. 18-81. Permits for public assembly or special events in city parks.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Appeal shall have the meaning set forth in subsection (l) of this section.

Applicant means the person or entity that seeks the issuance of a permit.

Application means a written application for a permit on a form prescribed for such purpose.

City means the City of Fort Smith acting through its parks and recreation department.

City property means all city parks, plazas and public spaces that have been constructed or maintained under the administration of the parks and recreation department. The term "city property" herein shall not include city facilities or grounds not under the auspices of the parks and recreation department.

Permit means a written authorization issued by the parks and recreation department for the staging or production of a public assembly or special event on city property under stated terms and conditions.

Permit denial means a written notice from the director of the parks and recreation department or his designee informing an applicant that the applicant's application for a permit has been denied. (See subsection (j) of this section.)

Permit revocation means a written notice from the director of the parks and recreation department or his designee informing a permittee that the permit has been revoked. (See subsection (k) of this section.)

Permittee means the person or entity to whom a permit is issued.

Public assembly means a demonstration, a meeting or gathering, a rally or protest event, a political rally or event, speechmaking, marching, the holding of vigils or religious services, and all other like forms of conduct on city property, the primary purposes of which is expressive activity or the communication or expression of views or grievances, that is engaged in by more than 50 persons and the conduct of which has the effect, intent, or propensity to draw a crowd of onlookers, or will occur on or in any city property administered by the parks and recreation department without compliance with the normal and customary regulations or controls governing such places. The term "public assembly" shall not mean the casual use of city property or special event.

Public assembly or special event sponsor means the person or entity that is responsible for the staging or production of a public assembly or special event.

Special event means a public spectator event or attraction, concert, sports event, pageant, ceremony or similar event that is open to the public and reasonably calculated to attract 50 or more persons.

- (b) *Permit requirement for a public assembly or special event.* No person or entity shall conduct or hold a public assembly or special event on city property without first obtaining a permit from the director of the parks and recreation department or his designee.

- (c) *Application for permit.*

- (1) The applicant must apply for a permit by filing an application, in person or by U.S. mail, fax, or electronic means with the parks and recreation department at Creekmore Community Center, 3301 South M Street, Fort Smith, Arkansas 72903.
- (2) The application must be filled out completely and signed and dated by the applicant. If the public assembly or special event is sponsored or produced by an entity, a person legally authorized to bind the entity must also sign the application.
- (3) The application must contain the following information:

-
- a. The name, address, e-mail address, if available, daytime telephone number, and fax number, if available, of the applicant;
 - b. The name of the person who will be in charge of the public assembly or special event on-site;
 - c. The name, address, e-mail address, if available, daytime telephone number, and fax number, if available, of the public assembly or special event sponsor;
 - d. The date, time, duration, and location of the proposed public assembly or special event (including the set up and take down times);
 - e. An estimate of the approximate number of persons who are reasonably expected to attend the public assembly or special event;
 - f. If the public assembly or special event will include a march, a detailed description of the proposed route of the march (with assembling, starting, and ending points) and the proposed starting and ending times for the march;
 - g. A statement of any equipment expected to be used by the applicant or public assembly or special event sponsor;
 - h. A statement of any equipment or facilities that the applicant or public assembly or special event sponsor desires to use from the parks and recreation department;
 - i. If the public assembly or special event is a spontaneous event which has been planned in response to a specific occurrence, such occurrence must be briefly described;
 - j. A certification that the applicant and public assembly or special event sponsor will comply with all governmental rules and regulations applicable to the public assembly or special event;
 - k. After submission of an application, the applicant must immediately provide the parks and recreation department with any information that will amend, supplement or change any of the information originally provided in the application.
- (d) *Application deadlines for public assembly or special event.*
- (1) *Public assembly.*
- a. The application for a permit must be submitted to the parks and recreation department at least five business days prior to the proposed date and time of the public assembly. However, the parks and recreation department will accept applications less than five days prior to the proposed date and time of the public assembly, provided, however, that the proposed public assembly is a spontaneously planned event in response to a recent occurrence (e.g., a march or rally that is timed to coincide with a recent or future political or other announcement, decision, determination, or declaration by a local, state, or federal official).
 - b. Where the applicant has requested the parks and recreation department to provide special or technical services for purposes of assisting in the production or staging of the public assembly, the applicant has requested or requires the rental and use of parks and recreation department owned equipment or facilities for the production or staging of the public assembly, or the applicant intends to erect fixed structures upon city property, e.g., sound stage or canopies, the application for a permit must be submitted to the parks and recreation department at least 45 days prior to the proposed date and time of the public assembly. Absent extraordinary circumstances, the parks and recreation department will not accept applications meeting the criteria of this subsection beyond this 45-day deadline.

-
- c. An application shall be deemed submitted on the date it is received by the parks and recreation department or, if received on a holiday, after normal business hours, or on a day city offices are otherwise closed, on the next business day.
- (2) *Special event.*
- a. The application for a permit must be submitted to the parks and recreation department at least 45 days prior to the proposed date and time of the special event. Absent extraordinary circumstances, the parks and recreation department will not accept applications meeting the criteria of this subsection beyond this 45-day deadline.
 - b. An application shall be deemed submitted on the date it is received by the parks and recreation department or, if received on a holiday, after normal business hours, or on a day city offices are otherwise closed, on the next business day.
- (e) *Deposits for public assembly or special event.* Prior to issuance of a permit, a deposit in the amount of \$500.00 shall be required to cover costs of any damage to the facility such as restoration, rehabilitation, and cleanup of the area used, as well as other costs resulting from the public assembly or special event. It is the applicant's responsibility to return the property to the condition it was in prior to the event. The applicant agrees to reimburse the city for clean up and restoration that exceeds \$500.00.
- (f) *Order of processing.* The parks and recreation department will process applications for a permit in the order that they are received. The parks and recreation department will allocate the use of a particular city property or a part thereof among competing applicants in the order of receipt of fully executed applications together with the required application fee. The parks and recreation department will have priority use of the requested city property where the proposed public assembly or special event conflicts or interferes with a previously scheduled event or with an annual or otherwise regularly held event or ceremony that is sponsored by or on behalf of the parks and recreation department.
- (g) *Grounds for denial of application for permit.*
- (1) The parks and recreation department will approve an application and grant a permit unless there is a sufficient basis for denial of the application.
 - (2) To the extent permitted by law, the parks and recreation department may deny an application for permit if the applicant or person or entity on whose behalf the application for permit was made has on prior occasions made material misrepresentations regarding the nature or scope of an event or activity previously permitted or has violated the terms of prior permits issued to or on behalf of the applicant. An application for permit may also be denied on any one of the following grounds:
 - a. The application for a permit (including any required attachments and submissions) is not fully completed and executed;
 - b. The application for a permit contains a material falsehood or misrepresentation;
 - c. The applicant has not tendered any required deposit;
 - d. The proposed public assembly or special event conflicts or interferes with a previously scheduled, annual, or otherwise regularly held event or ceremony that is sponsored by or on behalf of the parks and recreation department or any other person or entity at the same city property for the same date and time;
 - e. A fully executed prior application for a permit for the same city property and for the same date and time has been received, and a permit has been or will be granted to a different applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular city property or part thereof;

-
- f. The property sought to be used for the public assembly or special event is closed or partially closed for construction, renovations, or other reasons, and use of the city property may reasonably pose a threat to the safety of participants or may reasonably pose an adverse impact upon the natural environment of the city property;
 - g. The public assembly or special event will substantially or unnecessarily interfere with traffic in the area contiguous to the activity, and will unreasonably disrupt movement or circulation of vehicular or pedestrian traffic, unless there are readily available at the time of the proposed public assembly or special event sufficient city resources to mitigate any interference or disruption;
 - h. There are unavailable at the time of the public assembly or special event a sufficient number of police officers to police and protect participants in the public assembly or special event and nonparticipants from traffic related hazards in light of the other demands for police protection at the time of the proposed public assembly or special event or the public assembly or special event will otherwise place an undue burden on other personnel resources of the city;
 - i. The parks and recreation department has revoked a permit which was previously issued to the applicant or has revoked a permit for a public assembly or special event that was previously sponsored by the public assembly or special event sponsor;
 - j. The size of the city property cannot safely and reasonably accommodate the expected number of participants in the public assembly or special event without an unduly adverse impact upon the landscape, planting, or natural environment of the city property;
 - k. The public assembly or special event and the concentration of persons, vehicles or things at the assembly or event and disbanding areas is reasonably expected to have an unduly adverse impact on the public health or safety of the applicant, other users of the city property, city employees, or the public (e.g., the public assembly will unreasonably interfere with the movement or service capabilities of police vehicles, firefighting equipment, or emergency medical or ambulance services);
 - l. The public assembly or special event will unreasonably interfere with customary functions and uses of, and ingress and egress to and from, buildings that are immediately adjacent to the city property;
 - m. The applicant, or the person or entity on whose behalf the application for a permit was made, has on prior occasions damaged city property and has not paid in full for such damage;
 - n. The applicant, or the person or entity on whose behalf the application for a permit was made, has not reimbursed the parks and recreation department for requested parks and recreation department personnel or equipment or facilities utilized in connection with a previously issued permit;
 - o. The applicant has not complied or cannot comply with applicable licensure requirements, ordinances, or regulations of the city concerning the sale or offering for sale of any goods or services, including the requirement to obtain a city business privilege license;
 - p. The public assembly or special event is prohibited by law, including but not limited to, applicable city ordinances and regulations;
 - q. The city property requested is a nonpublic forum that has not been opened for expressive activity to the general public; or
 - r. The application is sought for an event that is more appropriately covered by the parks and recreation department's special events policy or an event that does not satisfy the definition of the term "public assembly."

(h) *Action of application; amendment or revision of applications.*

- (1) In the case of applications submitted for public assembly under the deadline set forth in subsection (d)(1) of this section, the director of the parks and recreation department or his designee will grant or deny the application within two business days after receipt of the application.
- (2) In the case of applications submitted under the deadline set forth in subsection (d)(1)b of this section, the director of the parks and recreation department or his designee will grant or deny the application within 30 days of receipt of the application.
- (3) Any amendment or revision of an application for a permit for either a public assembly or special event will for purposes of determining the priority of the application, relate back to the original filing thereof; but the time within which the parks and recreation department will grant or deny the application for a permit will be computed from the date of amendment or revision.

(i) *Notice of action; issuance of permit.*

- (1) The parks and recreation department will immediately provide the applicant notice of the grant or denial of the application for a permit in accordance with the written instructions of the applicant in the application.
- (2) Upon approval of the application for a permit, the parks and recreation department will issue to the applicant a permit denoting the location of the city property, and the date, time and duration for which the permit is valid. The permit will note thereon any reasonable restrictions, and any other special requirements, that are applicable to the permit.
- (3) The permit will be made available for personal pick up by the applicant, or will be transmitted to the applicant, in accordance with the written instructions of the applicant in the application.
- (4) A permit cannot be transferred or assigned, except that a permit may be assigned or transferred to an entity that is a legal successor to the permittee only after obtaining written permission from the parks and recreation department.

(j) *Denial of application; contents of notice.*

- (1) In the permit denial, the parks and recreation department will expressly set forth all grounds upon which the application for a permit was denied.
- (2) Where feasible and applicable, the permit denial will contain a proposal by the parks and recreation department for measures by which the applicant may cure any identified defects in the application.
- (3) Where the grounds for the permit denial are those identified in subsection (g)(2)d, e, f, g, h, j, k or l of this section, the parks and recreation department will offer to the applicant:
 - a. A proposal to hold the public assembly or special event at different city property, if available, for the same date and time, so long as the alternate city property is reasonably similar to the proposed location with comparable public visibility; or
 - b. A proposal to hold the public assembly or special event at the same city property, if available, but on an alternative date or time.
- (4) The parks and recreation department will transmit the permit denial to the applicant in accordance with the written instructions of the applicant in the application or make the permit denial available for personal pick up by the applicant.
- (5) An applicant desiring to accept an alternate proposal made by the parks and recreation department in accordance with subsection (j)(3) of this section will promptly notify the parks and recreation department in writing of its acceptance.

-
- (k) *Permit revocation.* Upon written notice to a permittee, the parks and recreation department may revoke a permit, where it has been determined that the permittee does not intend to comply with, cannot comply with, or has violated, any of the conditions or restrictions applicable to the permit, including but not limited to the following:
- (1) Failure of the applicant to obtain any permits or licenses that are legally required by this Code or any city ordinances in connection with the public assembly or special event;
 - (2) Failure of the applicant to remit any required user fee or deposit for city-owned equipment or facilities; or
 - (3) Failure to comply with any conditions applicable to the permit.
- (l) *Procedures for appeal of permit denials and permit revocations.*
- (1) An applicant who is denied a permit, or a permittee whose permit has been revoked, may file a written appeal from such permit denial or permit revocation with the city administrator or his designee.
 - (2) The appeal must state succinctly the grounds upon which it is asserted that the permit denial or permit revocation should be modified or reversed. The appeal must be accompanied by copies of the application for a permit, the written permit denial or permit revocation from the parks and recreation department, and any other papers or documentation material to the determination.
 - (3) The city administrator or his designee shall promptly affirm, modify, or reverse the permit denial or permit revocation and give notice in writing of the final decision to the applicant. The city administrator or his designee's decision shall be the final decision of the city.
- (m) *Permit restrictions and permissions.*
- (1) The parks and recreation department may place reasonable restrictions on the conduct of a public assembly or special event, which restrictions may consider the customary use and nature of the city property, recreational use policies, the size and location of the city property, and the degree to which the public assembly or special event might interfere with the customary uses and adopted recreational use policies for the city property.
 - (2) Applicants of permitted public assemblies or special events have authorization from the parks and recreation department to select food or merchandise vendors that comply with applicable public health codes and city business regulations to provide goods and services at the permitted public assembly. The applicant may prohibit food and merchandise vendors at his discretion within the permitted area during the duration of the permit.
 - (3) Applicants of permitted public assemblies or special events may allow the solicitation of signatures for petitions, gifts, money, or for goods or services within the permitted area during the duration of the permit.
- (n) *Compliance with applicable law.*
- (1) A permittee must comply with all applicable provisions of this Code and all city ordinances, including those provisions concerning food and noise levels. A permittee must obtain, in advance of a public assembly or special event, separate permits for certain activities that are accessory to a public assembly or special event, including, but not limited to, vending of food and goods, special parking facilities, hanging banners, setting up tents, use of fireworks, and serving alcoholic beverages.
 - (2) Failure to obtain any such permits may be a basis for revocation of a permit.
 - (3) The issuance of a permit will not supersede a requirement for the applicant to obtain any other permits required by law.
- (o) *Insurance.*

-
- (1) The applicant shall procure and maintain a general liability insurance policy of at least \$300,000.00 at all times during the applicant's use of city property and shall name the city as an additional insured thereunder.
 - (2) The applicant shall provide the parks and recreation department with a certificate of insurance from the insurer evidencing such coverage prior to the applicant's use of the city property, and within the time prescribed by the parks and recreation department. The certificate shall also provide that the insurer shall give the parks and recreation department reasonable advance notice of insurer's intent to cancel the insurance coverage provided.
- (p) *Indemnity agreement.* Upon submission of an application and the issuance of a permit, each applicant shall be deemed to have agreed to defend, indemnify and hold harmless the city, its elected and appointed officials, agents, and employees, from and against any and all claims against the city, its elected and appointed officials, agents, and employees, and for all damage or losses to city-owned buildings, structures, or other property, which arise from the acts or omissions of the applicant or persons within or under the direct control or supervision of the applicant (e.g., employees).
- (q) *Reimbursement of city equipment and facilities costs.*
- (1) Each public assembly or special event sponsor shall pay any applicable rental fees in advance of the public assembly or special event, for any and all equipment and facilities to be provided by the parks and recreation department for use in connection with the production or staging of the public assembly or special event. A schedule of such equipment and facility rental fees shall be provided to an applicant upon request.
 - (2) Following the conclusion of a public assembly or special event, the public assembly or special event sponsor shall pay the parks and/or recreation department for the repair and/or replacement costs (as determined by the parks and recreation department in its sole discretion) of equipment and/or facilities not returned or returned in an unacceptable condition (reasonable wear and tear excepted).
- (r) *Reimbursement of city personnel costs.* Each public assembly or special event sponsor shall reimburse the parks and recreation department an amount equal to all applicable personnel costs for services that are specifically requested from the parks and recreation department for the purpose of staging and conducting the public assembly or special event.
- (s) *Waiver of insurance requirement.*
- (1) Any requirement for insurance may be waived by the city administrator, or his designee, if the requirement will be so financially burdensome that it will preclude the applicant from using city property for the proposed public assembly. A waiver of the insurance requirement contained in subsection (o) of this section shall not be permitted where the public assembly will require equipment, services, or facilities set forth in subsection (d)(1)b of this section. A waiver of the insurance requirement shall not be permitted for special events.
 - (2) Fees for city-owned equipment, facilities, and city-provided services that are requested by the applicant cannot be waived pursuant to this subsection.
 - (3) Application for a waiver of the insurance requirement shall be made simultaneously with the application and must include an affidavit by the applicant and sufficient financial information about the applicant to enable the city administrator, or his designee, to determine whether the insurance requirement will be so financially burdensome that it will preclude the applicant from using the city property for the proposed public assembly.

(Code 1992, § 18-81; Ord. No. 47-12, § 1, 6-19-2012)



FORT SMITH POLICE DEPARTMENT

MEMORANDUM

To: Danny Baker, Chief of Police

From: Command Staff

Subject: Special Events

Date: June 12th, 2025

DLB
06/18/2025

Recipient Response:

Recent discussions have been had regarding the City of Fort Smith's approach to handling special events, specifically involving the involvement of City of Fort Smith resources and personnel. To assist with discussions moving forward, contact was made with several departments of comparable size in the State of Arkansas. Below is a summary of conversations with representatives from these police departments related to their personnel involvement with special events and how that is funded.

- **LITTLE ROCK**

- Their "city-sponsored" events are handled on-duty or through OT (budget funded). Such events include the Little Rock Marathon and some events at the Little Rock Zoo.
- Administration determines what events are "city-sponsored", but they do cover city planned events similar to our Mayor's 4th of July Celebration.
- All other events are handled through off-duty staffing.

- **ROGERS**

- All "non-profit" events are covered with on-duty / OT (budget funded)
- All "for-profit" events are covered through off-duty

- **FAYETTEVILLE**

- All "city events" and "certain non-profits" are covered by on-duty / OT (budget funded)
- Regarding all other events and "for profit" events, the organizations are set up with the city as vendors. On-duty personnel are scheduled to work the events. The organization/vendor is then invoiced from the city for the cost of those officers' on-duty rate to include fringe benefits.
- It was stated that while they require a police presence at certain events, requiring it through off-duty services caused some issues. The first issue was that they couldn't force officers to work it through off-duty services. It's their off-time and they're not working for the city at that point. The other issue

Service Honor Integrity Education Legacy Dedication



FORT SMITH POLICE DEPARTMENT

was that their off-duty rate of \$50/hr was less than some officers were making at their on-duty or overtime rate, which would force them to work at a lower wage.

- For these reasons, they require the organizer to set up as a vendor with the city and the officers work it on-duty at their on-duty or overtime rate. The vendors are then invoiced to reimburse the city for the costs to include fringe benefits.
- They do still have off-duty services like we do for churches, business security, etc., just not for the special events.
- **BENTONVILLE**
 - For city functions such as their 4th of July show, marathon, Christmas parade, etc., they handle them on-duty /OT (budget funded)
 - For other functions, the organizer submits a plan/application as they do with us. Once the appropriate number of officers is set for the event (if required or requested), the organizer is set up as a vendor with the city.
 - That vendor is invoiced at a rate of \$80/hr at a minimum of 3 hours. Any additional hour after 3 hours is added by the hour.

We recommend moving forward, should it please administration the board, a set list of events is presented for consideration. These events would be deemed “city sponsored events” and would be events that have occurred annually for some time, seem well accepted by our residents, and/or contribute to the overall economy of the City of Fort Smith through the attraction of visitors. It would be beneficial for an economic impact report to be completed for administration and elected officials to consider. Those events deemed “city sponsored events” would be solely at the discretion of administration and/or the Board of Directors. Such events may or may not include:

- MLK Parade
- ANTIOCH Turkey Giveaway
- Steel Horse Rally
- Rodeo Parade
- Mayor’s 4th of July Celebration
- Peacemaker Music Festival
- Veteran’s Day parade
- Fort Smith Marathon
- Christmas Parade
- New Year’s Eve Ball Drop

Service Honor Integrity Education Legacy Dedication



FORT SMITH POLICE DEPARTMENT

With a list of “city sponsored events”, it would allow our department to more efficiently budget for coverage of events each year knowing which events will be covered by our personnel and would remove question as to what events are to be covered by on-duty personnel through schedule adjustments or overtime. For all other events not approved as “city sponsored events”, we recommend organizers be required to register as a vendor with the City of Fort Smith. Once determined through the special event approval and planning process how many officers or other resources may be needed for public safety, and the organizer agrees to cover those personnel and resources, they would be invoiced by the City of Fort Smith for cost of those personnel’s wages to be reimbursed to the City of Fort Smith. The event organizer would be provided with the anticipated cost received from our Finance Department. We recommend this cost be considered at the personnel’s overtime rate should schedule adjustments taking form services routinely provided day by day not be possible and that their fringe benefits be considered in the cost as well.

Conversations have been had with other city departments directly involved in some special events throughout the year. These departments include Solid Waste, Streets, and Transit. All contacts have been given the opportunity to review this memorandum and agree that a policy such as this would establish consistency in the city’s relationship with non-profit and for-profit organizations, would benefit the City of Fort Smith and the taxpayers, and eliminate the need to consider each event and request of services on a case-by-case basis. Having such a policy in place would also assist departments in budgeting each year, knowing what events are to be covered by on-duty personnel through budgeted funds. All other departments added that they would like a set “per hour” rate be considered for not only the personnel’s cost, but also the vehicles and equipment necessary to account for the wear and tear on the equipment. It was asked that the providing of wooden barricades to event organizers not be considered as it’s a simple service that has little to no impact on daily operations.

Should an event organizer not be able to cover the cost of those personnel and resources deemed necessary for the safety of the public in instances of crowd and traffic control, or deemed necessary by other departments, the event would not be permitted. Any event to be approved and permitted by the City of Fort Smith to take place within our city limits would be required to utilize City of Fort Smith resources. For example, should it be deemed that a police presence is necessary, it would be City of Fort Smith Police Officers that would staff those positions to

Service Honor Integrity Education Legacy Dedication



FORT SMITH POLICE DEPARTMENT

ensure the City of Fort Smith's directives, plans, and policies are being followed by those personnel and that supervision has authoritative oversight over those personnel working the event.

Service Honor Integrity Education Legacy Dedication

RE: PROPOSED HANDLING OF SPECIAL EVENTS

From McDonald, Duane <Duane.McDonald@fortsmithar.gov>

Date Tue 6/17/2025 10:12 AM

To Creek, Steven (Capt) <Steven.Creek@FortSmithpd.org>; Meeker, Matt <mmeeker@FortSmithAR.gov>; Butler, Billy <BButler@FortSmithAR.gov>; Carthon, Gregory <GCarthon@FortSmithAR.gov>

Thank you, Steve. Some background on Solid Waste's involvement:

- We service city and city-sponsored events and other departments without charge
- We get frequent requests for "donated" trash containers and service for non-profit festivals like the recent Steel Horse and Juneteenth festivals
- We also get frequent requests from non-profit organizations for free containers and service
- As a city utility, our service and disposal rates are set by city ordinance
- City ordinance Chap. 25 (Utilities) Art. VII (Solid Waste) Div. 1 states it is unlawful for "any person, directly or through others" to deliver solid waste for disposal at the landfill without paying the service and disposal charges established in that section. The same ordinance gives the City Administrator's designee that authority to negotiate commercial service rates, so if the Board or Administrator desire, a rate could be set for non-profit events and organizations.

My recommendation aligns with yours. Outside of servicing city departments and city-sponsored events, I believe we should be charging for services and invoicing the customer for containers and disposal as we do other commercial accounts in accordance with city ordinance. A policy to the effect would establish consistency in the city's relationship with non-profits, save the city money, and eliminate the need to consider every request ad hoc.

Thanks,
Duane



DUANE McDONALD | Director of Solid Waste Services

City of Fort Smith | 5900 Commerce Rd, Fort Smith, AR 72916

(479) 784-2431

FortSmithAR.gov

Connect With Us On Social Media:

[Facebook](#) | [Instagram](#) | [Twitter](#) | [LinkedIn](#)

RE: PROPOSED HANDLING OF SPECIAL EVENTS

From Carthon, Gregory <GCarthon@FortSmithAR.gov>

Date Tue 6/17/2025 8:49 AM

To Creek, Steven (Capt) <Steven.Creek@Fortsmithpd.org>; Butler, Billy <BButler@FortSmithAR.gov>; McDonald, Duane <Duane.McDonald@fortsmithar.gov>; Meeker, Matt <mmeeker@FortSmithAR.gov>

Good morning, Captain Creek,

I believe the memorandum looks great. Ken and I reviewed it after receiving it, and we are both in agreement. I also appreciate and fully support Billy's side note.

As a Transit team, we always strive to assist whenever and however we can. These situations often serve a dual purpose for us: helping to ensure the safety of events when our involvement is possible, and providing an opportunity to highlight our exceptional public transit system, one that is always ready and committed to serving the community.

Gregory A. Carthon

Civil Rights Officer (CRO)

Ph. 479.788.4148 | Cell Ph. 479.763.8002 | Email: gcarthon@fortsmithar.gov

City of Fort Smith: Transit Department

6821 Jenny Lind Rd. | Fort Smith, AR | 72908 | Ph. 479.783.6464



RE: PROPOSED HANDLING OF SPECIAL EVENTS

From Butler, Billy <BButler@FortSmithAR.gov>

Date Tue 6/17/2025 7:59 AM

To Creek, Steven (Capt) <Steven.Creek@Fortsmithpd.org>; McDonald, Duane <Duane.McDonald@fortsmithar.gov>; Meeker, Matt <mmeeker@FortSmithAR.gov>; Carthon, Gregory <GCarthon@FortSmithAR.gov>

Captain Creek,

Matt is out sick, but I will try to summarize discussions we have had about this in the past.

Like you mentioned in your memo, when we bring in guys to the events that require trucks and drivers we have to pay them for a callout or overtime. Plus we have the minor fuel/wear and tear expense on the trucks. We feel like it would be fair to charge "non-City sponsored events" a set rate per hour per truck and driver to cover these expenses.

Side Note - We provide barricades to a lot of events throughout the year. We do not want to charge for this because we believe it is a small service we can provide that can have a big impact on the safety and overall operational smoothness of an event. We would not want a small fundraising event not ask for barricades because they could not afford to essentially rent them.

If you have any questions on any of this, please let me know.

Thanks,
Billy



MEMORANDUM

TO: Jeff Dingman, Acting City Administrator
CC: Maggie Rice, Deputy City Administrator
FROM: Andrew Richards, Chief Financial Officer
DATE: July 10, 2025
SUBJECT: Discussion regarding waiver of parking meter fees

SUMMARY

Parking metered parking and parking fees were waived on January 7, 2025, through August 1, 2025, per Resolution No. R-2-25. The Board indicated at that time that a future discussion on whether to continue or permanently end downtown metered parking would be held at a future study session.

In fiscal years 2022 and 2023 (the last full years of metered parking) the City collected \$61,695 and \$68,481 in meter revenues. Parking enforcement expenses totaled \$96,746 and \$103,002 in 2022 and 2023, respectively. Those totals include \$94,805 and \$99,462 of personnel expenses in 2022 and 2023, respectively. These personnel positions were transferred to the police department general fund budget for fiscal year 2025 in the original 2025 adopted budget. The remaining expenses of \$1,941 and \$3,540 in 2022 and 2023, respectively, were for operations and maintenance. The net cost of the parking enforcement program was \$35,051 and \$34,521 in 2022 and 2023, respectively.

Removing this revenue source, and also removing the personnel expenses associated with enforcement and maintenance, will not negatively impact the overall operating budget for the city.



Board of Directors Special Meeting - July 15, 2025

MEDIA NOTIFICATION

July 11, 2025

Director Lee Kemp contacted the City Clerk's Office and requested a special meeting be called on Tuesday, July 15, 2025 immediately following adjournment of the study session scheduled for the same date. The purpose of the special meeting is to accommodate the following:

- **EXECUTIVE SESSION**
Interview two (2) candidates for Director of Internal Audit

All remaining directors were contacted to seek concurrence with the request whereby Directors Neal Martin, Andre' Good, and George Catsavis concurred. Director Kevin Settle did not concur.

Since concurrence was already attained, Director Christina Catsavis conveyed no preference; however, Director Jarred Rego conveyed concurrence with the request.

Due to the aforementioned, the requested special meeting will be held immediately following adjournment of the regularly scheduled study session set for 6:00 p.m., Tuesday, July 15, 2025 in the back room of the Blue Lion, 101 North 2nd Street, Fort Smith.

The Agenda Board Packet for the study session and special meeting will be uploaded to the City of Fort Smith website as soon as possible. Once accomplished, notice of same will be provided in like-manner.

Sherri Gard, MMC, City Clerk
479-784-2207
sgard@fortsmithar.gov

Powered by

