

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
REGULAR MEETING
March 4, 2025 ~ 6:00 p.m.
Blue Lion
101 North 2nd Street
Fort Smith, Arkansas

***THIS MEETING IS BEING TELECAST LIVE ON THE
CITY OF FORT SMITH GOVERNMENT ACCESS CHANNEL (COX CHANNEL 214)
AND ONLINE AT THE FOLLOWING LINK:***
https://fortsmithar.granicus.com/ViewPublisher.php?view_id=1

INVOCATION & PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION BY MEMBERS OF THE BOARD OF DIRECTORS OF ANY ITEMS OF BUSINESS NOT ALREADY ON THE AGENDA FOR THIS MEETING

APPROVE MINUTES OF THE FEBRUARY 21, 2025 REGULAR MEETING

PRESENTATION

- Girl Scout Diamonds of Arkansas, Oklahoma, and Texas ~ *Deferred from the February 21, 2025 regular meeting ~*

ITEMS OF BUSINESS

1. Ordinance amending the Master Land Use Plan map and rezoning identified property and amending the zoning map (*Master Land Use Plan: Extraterritorial Jurisdiction Light Commercial Office and Extraterritorial Jurisdiction Neighborhood Commercial to Mixed Use Residential / Rezoning: Extraterritorial Jurisdiction Open-1 (ETJ O-1) to a Planned Zoning District (PZD) at 11100 Old Highway 71*) (*Planning & Zoning*)

2. Items regarding annexation of property (*petition of Carrington Creek Holdings, LLC / 11100 Old Highway 71*) (*Planning & Zoning*)
 - 2A. Resolution approving a pre-annexation agreement and agreement to acquire street right-of-way with Carrington Creek Holdings, LLC (*Planning & Zoning*)
 - 2B. Ordinance accepting certain territory into the city of Fort Smith, Arkansas (*Planning & Zoning*)
 - 2C. Resolution authorizing the acquisition of real property interests for the street right-of-way for Rye Hill Road Extension () (*Planning & Zoning*)
3. Ordinance rezoning identified property and amending the zoning map (*Commercial Heavy (C-5) to Industrial Light (I-1) at 801 South Zero Street*) (*Planning & Zoning*)
4. Items regarding City employee pay rates for 2025: (*Human Resources*)
 - 4A. Ordinance establishing pay rates and related procedures for City employees (*Human Resources*)
 - 4B. Ordinance amending the 2025 Operating Budget and authorizing the appropriation of funds for a market adjustment to all non-uniform personnel and uniform Fire Department employees (*Finance*)
5. Ordinance amending the 2025 Operating Budget and appropriating funds for 2024 Carryovers ~ *Ordinance amending the 2025 Operating Budget and appropriating funds for 2024 Encumbrances and Carryovers amended at the February 21, 2025 regular meeting to remove Carryovers with provision to review such at a future study session; Good/Rego placed ordinance on March 4, 2025 regular meeting agenda at the February 25, 2025 study session ~ (Finance)*
6. Consent Agenda
 - 6A. Resolution authorizing Amendment No. 1 to the engineering services agreement for the Massard Road Widening - Phase III, Extension to I-49, Project No. 23-01-A (\$211,000.00 / Budgeted / Engineering - Sales Tax Program) (*Engineering*) ♦
 - 6B. Resolution accepting bids for the purchase of vehicles and equipment for the Streets & Traffic Control Department (\$821,624.90 / Budgeted / Streets & Traffic Control - 11010370-531960 Capital Replacement Fund) (*Streets & Traffic Control*) ♦
 - 6C. Ordinance declaring an exceptional situation, waiving the requirements of competitive bidding, and authorizing the Mayor to execute a contract with Beshears Construction, Inc. for Creekmore Park Parking Lot Improvements Phase II (\$653,369.66 / Budgeted / Parks & Recreation - 1/8% Sales and Use Tax) (*Parks & Recreation*) ♦
 - 6D. Resolution accepting the bid and authorizing the repair of Oak Cemetery retaining wall (\$74,849.50 / Budgeted (pending approval of Carryovers - Item No. 5) / Parks & Recreation - Program 62020101 - Oak Cemetery) (*Parks & Recreation*) ♦

- 6E. Resolution expressing the willingness of the City of Fort Smith to serve as the sponsor for Methodist Village Senior Living Center to utilize Federal-Aid Transportation Alternatives Program Funds (*Parks & Recreation*) ♦
- 6F. Ordinance declaring an exceptional situation; waiving the requirements of competitive bidding; and authorizing the Mayor to execute a contract with CSM Waterworks, Inc. for installation of water slide components at Parrot Island Waterpark for an amount not to exceed \$509,500 (*not to exceed \$509,500.00 / Budgeted / General Fund Non-Departmental - General Fund*) (*City Administrator*)
- 6G. Resolution authorizing the execution of a non-residential solid waste collection and disposal permit and agreement with CARDS Holdings, Inc. (*Solid Waste Services*)
- 6H. Resolution authorizing the purchase of fire apparatus (\$2,320,647.00 (*payment upon delivery*) / *Budgeted / Fire - 1/8% Sales and Use Tax*) (*Fire*)

OFFICIALS FORUM - presentation of information requiring no official action

- Mayor
- Directors
- City Administrator

ADJOURN



MEMORANDUM

TO: Jeff Dingman, Acting City Administrator
FROM: Maggie Rice, Deputy City Administrator
DATE: February 18, 2025
SUBJECT: Master Land Use Plan Amendment No. 3-2-25 from Extraterritorial Jurisdiction Light Commercial Office and Extraterritorial Jurisdiction Neighborhood Commercial to Mixed Use Residential, Rezoning #7-2-25 from Extraterritorial Jurisdiction Open-1 (ETJ O-1) to a Planned Zoning District (PZD) at 11100 Old Highway 71. Request by Brixey Engineering

SUMMARY

On February 11, 2025, the Planning Commission held a public hearing to consider the subject Master Land Use Plan Amendment and rezoning applications.

The property, containing an area of 16.42 acres, is located on the east side of U.S. Highway 71, south of Rye Hill Road, and west of Old Highway 71 South. The proposed Master Land Use Plan Amendment to Mixed Use Residential and zoning to a Planned Zoning District (PZD) allows for a mixed-use development with residential and commercial land uses. The applicant requested four-character areas within the project booklet. Character Area A exclusively allows single family and is adjacent to the existing single-family development to the north as well as Old Highway 71. Character Area B is located interior to the site and adjacent to the future Major Arterial permits single-family, duplexes, row-houses, zero lot line dwelling units, and commercial land uses. Character Area C permits single-family residences, row-houses, zero lot line dwelling units, and commercial land uses and is located at the northeast corner of the proposed development. Finally, Character Area D is the future 100' corridor as shown on the Master Street Plan.

The applicant submitted a traffic information statement showing the proposed development is within allowable limits on existing streets. The Engineering Department reviewed and concurred with the assessment.

Two neighborhood meetings were held on February 3, 2025, and February 4, 2025. A combined total of thirty (30) neighboring property owners attended both meetings with concerns regarding size and quantity of buildings, traffic, drainage, density, property values, and potential increase in crime.

At the Planning Commission meeting, Mr. Ron Brixey, Mr. Matt Edwards, and Mr. John Alford were present to represent the items. Ms. Elizabeth Allison of 5800 Valley View Drive, Mr. Edward Ward of 5900 Valley View Drive, Mr. Troy Eckelhoff of 5304 East Highway 45, Mr. Bill Hutchinson of 5908 Valley View Drive, Mr. Jeromy Dutra of 5600 Rye Hill Road, Ms. Kathryn

Davis of 12008 Maple Park Drive, and Mr. Joseph Cook of 6204 Meadow Brook Drive spoke with concerns regarding density, traffic, size and quantity of buildings, property values, and drainage. Approximately 31 neighboring property owners were present with the same concerns.

The Planning Commission voted eight (8) in favor and one (1) opposed to recommend the Board of Directors amend the Master Land Use Plan Map and the Zoning Map.

Please contact me if you have any questions.

ATTACHMENTS

1. [Knox_Landing_Ordinance.pdf](#)
2. [11100 Old Hwy 71 Backup New.pdf](#)

ORDINANCE NO. _____**AN ORDINANCE AMENDING THE MASTER LAND USE PLAN MAP AND
REZONING IDENTIFIED PROPERTY AND AMENDING THE ZONING MAP**

WHEREAS, the City Planning Commission held a public hearing to consider request No. 3-2-25 to amend the Master Land Use Plan Map relative to property described in Section 1 of this ordinance, and, having considered the request, recommended on February 11, 2025, that said change be made;

WHEREAS, the City Planning Commission determined the change to the Master Land Use Plan Map does conform to the goals and objectives of the Comprehensive Plan; and,

WHEREAS, the City Planning Commission held a public hearing to consider request No. 7-2-25 to rezone certain property, and, having considered said request, recommended on February 11, 2025, that said change be made.

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

SECTION 1: The hereinafter described property is hereby reclassified on the Master Land Use Plan Map from Extraterritorial Jurisdiction Light Commercial Office and Extraterritorial Jurisdiction Neighborhood Commercial to Mixed Use Residential and the Master Land Use Plan Map is hereby amended to reflect said amendment to-wit:

Part of the Southeast Quarter (SE/4) of the Northeast Quarter (NE/4) and part of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of Section 23, Township 7 North, Range 32 West, Sebastian County, Arkansas being more particularly described as follows:

Commencing at an existing P/K nail in Old Highway 71 marking the Southeast corner of said SE/4 of the NE/4; thence N 02°37'22" W, 916.02 feet along the East line of said SE/4 of the NE/4; thence N 86°46'28" W, 28.26 feet to an existing rebar on the West right of way line of Old Highway 71 being the Point of Beginning; thence

N 86°46'28" W, 383.21 feet to a set rebar; thence N 33°33'43" E, 34.69 feet to a set rebar; thence S 63°06'16"W, 166.65 feet; thence N 27°23'12" W, 314.73 feet; thence S 62°11'02"W, 350.02 feet to a point on the Easterly right of way line of U.S. Highway 71 (North bound); thence N 27°23'13" W, 35.11 feet along said right of way line to a punch in concrete; thence N 61°49'24"E, 47.85 feet along said right of way line; thence N 27°31'19" W, 64.62 feet along said right of way line to an existing rebar; thence N 62°11'13" E, 208.71 feet to an existing rebar; thence N 27°48'01" W, 551.38 feet to an existing rebar; thence S 85°18'07" E, 169.53 feet to an existing rebar; thence N 81°22'32" E, 624.22 feet to an existing rebar; thence N 89°24'54" E, 285.32 feet to an existing rebar on the Westerly right of way line of Old Highway 71; thence S 19°59'25" E, 73.58 feet along said Westerly right of way line to an existing p/k nail; thence S 03°50'29" W, 802.69 feet along said Westerly right of way line to the point of beginning, containing 7.88 acres in said SE/4 of the NE/4 and 8.54 acres in said NE/4 of the NE/4, in Aggregate containing 16.42 Acres more or less, being subject to public road rights of way and any easements of record;

being more commonly known as 11100 Old Highway 71.

SECTION 2: The real property described in Section 1 is hereby rezoned from Extraterritorial Jurisdiction Open-1 (ETJ O-1) to a Planned Zoning District (PZD). The approved zoning classification is based and conditioned upon the Planned Zoning District provisions of Section 27-341 of the Unified Development Ordinance and the Planned Zoning District Project Booklet reviewed by the Fort Smith Planning Commission and approved hereby, which Project Booklet shall be filed in the office of the City Clerk.

The zoning map of the City of Fort Smith is hereby amended to reflect said rezoning.

PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

ATTEST:

APPROVED:

City Clerk

Mayor
Approved as to form:



City Attorney
Publish One Time

5. Master Land Use Plan Amendment #3-2-25 – A request by Brixey Engineering, agent for Carrington Creek Holdings, LLC, for a Master Land Use Plan amendment from Extraterritorial Jurisdiction Light Commercial Office and Extraterritorial Jurisdiction Neighborhood Commercial to Mixed Use Residential in a proposed Planned Zoning District (PZD) at 11100 Old Highway 71.

Chairman McCaffrey introduced items 5 and 6 as companion items. Mr. Miller delivered the staff reports indicating the subject property was located on the east side of U.S. Highway 71, south of Rye Hill Road, and west of Old Highway 71 South. He said approval of the items would allow the facilitation of a mixed-use development containing four character areas labeled A through D. He explained that Character Area A would allow single family, Character Area B would allow single-family, duplexes, row-houses, zero lot line dwelling units, and commercial land uses, Character Area C would permit single-family residences, row-house, zero lot line dwelling units, and commercial land uses, and Character Area D would be reserved for a future major arterial right-of-way. He noted that the approval of the applications would facilitate a request to annex the property into the corporate city limits of Fort Smith.

Mr. Ron Brixey, Mr. Matt Edwards, Cary Smallwood, Chase Smallwood, and Mr. John Alford were present to represent the items. Ms. Elizabeth Allison of 5800 Valley View Drive, Mr. Edward Ward of 5900 Valley View Drive, Mr. Troy Eckelhoff of 5304 East Highway 45, Mr. Bill Hutchinson of 5908 Valley View Drive, Mr. Jeromy Doutra of 5600 Rye Hill Road, Ms. Kathryn Davis of 12008 Maple Park Drive, Mr. Joseph Cook of 6204 Meadow Brook Drive, and Mr. Ron White of 6000 Cedar Break Drive spoke with concerns regarding density, traffic, safety, access, property values, drainage, number of buildings, and the size of structures. Approximately 31 neighboring property owners were present with the same concerns.

Chairman McCaffrey called for a motion on item 5. Vice Chair Taylor moved, seconded by Commissioner Marshall, to approve with staff comments.

Chairman McCaffrey asked Mr. Brixey to explain the difference between the application and the previous application that was denied at the November 2024 Planning Commission meeting.

Mr. Brixey explained that the previous application was for a 40-lot duplex subdivision. After receiving opposition to the previously proposed development adjacent to single family homes, the current application and proposal consisted of single-family homes on the outside borders of the new proposed development and the center of the property would allow for mixed-use development.

Ms. Rice and Mr. Miller addressed the traffic concerns stating that a traffic study had been completed, and that the City of Fort Smith Engineering department confirmed the results of the study stating that additional traffic would have a minimal impact to the traffic flow in the area. Ms. Rice also noted that Highway 45 and Highway 71 are both

state highways and that the Department of Transportation was currently working on moving the location of the intersection.

Commissioner Coleman asked Mr. Edwards what commitments had been made in regard to the single family border of the development. Mr. Edwards responded that the proposed buildings would face the interior of the development and that single-family development adjacent to Old Highway 71 would back up to the road. Commissioner Coleman asked Mr. Edwards what the size of the proposed lots and buildings would be and Mr. Edwards responded that the lot size would be approximately 3,500 square feet and the homes would be approximately 1,500 square feet.

Commissioner Hanna asked Mr. Edwards if the proposed single-family-only border on the east and northwest side of the development was a concession for the neighbors if the 100% high-quality materials for commercial and zero lot line development exceeded the code. Mr. Edwards responded that the single-family border was a concession for the adjacent neighbors. Mr. Miller confirmed that the request and proposal for the 100% high quality materials, landscaping, and signage all exceeded the current UDO requirements and was an additional concession. Ms. Rice clarified that the applicant was only proposing monument signage and façade signage. She stated that the applicant also limited the land use chart within their application that would be palatable.

Vice Chair Taylor asked Ms. Rice if the proposed map illustrating the different character areas would govern a development plan if the application was approved. Ms. Rice responded that a Planned Zoning District application does not require a development plan, but that each character area would be limited to only the uses that were being proposed in that character area.

Chairman McCaffrey asked staff if the City agreed that the factor regarding the public utilities and services in the PZD booklet would be met and Ms. Rice confirmed that was correct. Mr. Miller responded that if the applications were to be approved, the applicant would have to submit a Major Plat application and be required to extend the infrastructure as required by the City's subdivision design standards set in the UDO.

Mr. Alford addressed concerns regarding drainage and stated that the property would be graded to drain away from the existing residential subdivision and is reviewed and approved by the City Engineering Department prior to grading.

Chairman McCaffrey asked Mr. Brixey to elaborate on a verbal agreement that had been made between the applicant and neighboring Rye Hill Baptist Church. Mr. Brixey explained that the church owned the property where the water naturally flows to U.S. Highway 71 and the church would allow them to run the drainage from a detention basin to flow toward the direction of a ditch located on U.S. Highway 71. Chairman McCaffrey asked Mr. Brixey what the outcome would be if the agreement would not be met, and Mr. Brixey responded that the proposed detention pond would possibly have to be enlarged, and infrastructure would be re-routed.

Ms. Rice elaborated that the applicant would have to meet the 2011 Stormwater Drainage Standards whose purpose was to ensure that whatever water accumulated on the property could not further impact any other properties. She confirmed that the city reviews the drainage plans during plat submittal review to ensure that the design complies with the City's 2011 Storm Drainage Standards.

Mr. Brixey elaborated on several questions regarding access to the developments and explained that all access would be from the interior streets where the houses would face.

With no further comments or questions, Chairman McCaffrey called for a vote on item 5. The vote was eight (8) in favor and one (1) opposed. (Wilson)

6. Rezoning #7-2-25 – A request by Brixey Engineering, agent for Carrington Creek Holdings, LLC, for a zone change from Extraterritorial Jurisdiction Open-1 (ETJ O-1) to a Planned Zoning District (PZD) at 11100 Old Highway 71.

Chairman McCaffrey called for a motion on item 6. Commissioner Tyler moved, seconded by Commissioner Hanna, to approve with staff comments. Chairman McCaffrey called for a vote on item 6. The vote was eight (8) in favor and one (1) opposed. (Wilson)



**Fort Smith
Planning Commission**

Item Number:
MLUPA #3-2-25

Hearing Date: February 11, 2025

Report Prepared by:

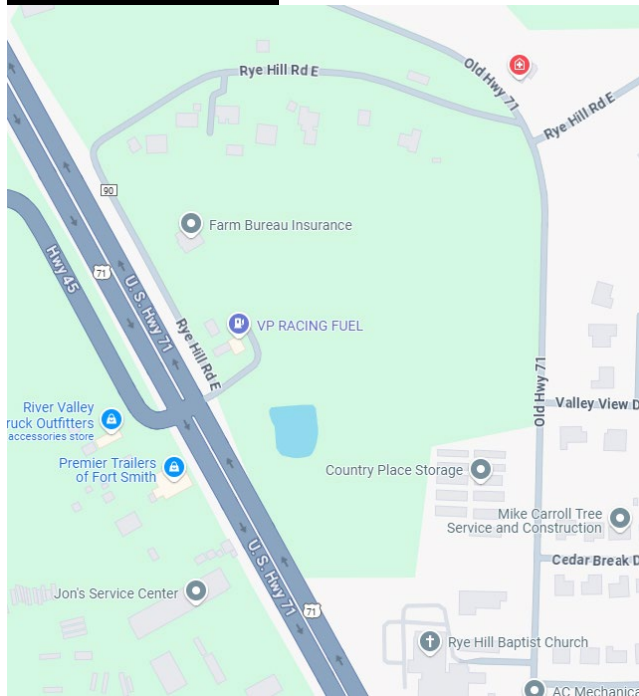
Planning Staff

Applicant Information:

Applicant: Ron Brixey

Owner: Carrington Creek Holdings, LLC.

Location Map:



Applicant Proposal:

Address: 11100 Old Highway 71

Present Use: Undeveloped

Summary: MLUPA from
Extraterritorial Jurisdiction Light
Commercial Office & Extraterritorial
Jurisdiction Neighborhood
Commercial to Mixed Use Residential

Total Tract Size: 16.42 Acres

Location: East of U.S. Highway 71
South, South of Rye Hill Road on the
west side of Old Highway 71 South

Existing Zoning:

ETJ-O-1

Master Land Use Plan:

ETJ-Light Commercial Office and
ETJ-Neighborhood Commercial

Staff Recommendation:

Approval

Master Land Use Plan Amendment

Memo

To: City Planning Commission

From: Planning Staff

Date: February 11, 2025

Re: Master Land Use Plan Amendment #3-2-25 - by Ron Brixey, agent for Carrington Creek Holdings, LLC. for a Master Land Use Plan amendment from Extraterritorial Jurisdiction Light Commercial Office and Extraterritorial Jurisdiction Neighborhood Commercial to Mixed Use Residential in a proposed Planned Zoning District (PZD) at 11100 Old Highway 71.

The Planning Department is in receipt of an application from Ron Brixey, agent for Carrington Creek Holdings, LLC, to amend the Master Land Use Plan Map from Extraterritorial Jurisdiction Light Commercial Office and Extraterritorial Jurisdiction Neighborhood Commercial to a Mixed-Use Residential land use for a proposed Planned Zoning District (PZD) request. The subject property is on the east side of U.S. Highway 71 South, South of Rye Hill Road, and west of Old Highway 71. The tract contains an area of 16.42 acres with approximately 100' feet of street frontage along U.S. Highway 71 and 890 feet of street frontage along Old Hwy 71 South.

The property is currently zoned Extraterritorial Jurisdiction Open-1 (ETJ-O-1). A companion zoning application requests a Planned Zoning District (PZD). The Master Land Use Plan is a guide to zoning and development and must be considered with the companion application.

MASTER LAND USE PLAN

The proposed Mixed-Use Residential classification is intended to provide for a dense, compatible mix of retail, residential, employment and production activities designed for all modes of transportation.

ADJACENT LAND USE CLASSIFICATIONS AND USES

Land use classification and use contiguous to the subject lot are as follows:

Direction	Land Use	Master Land Use Classification
North	Single Family Residences	ETJ - Low Density Residential
West	Convenience Store (With Gasoline Sales)	ETJ – Neighborhood Commercial
South	Mini-storage warehouse (non-climatized) and Church	ETJ – Neighborhood Commercial, and ETJ Light Commercial Office
East	Single Family Residences	Residential Detached

Characteristics and Use:

Criteria for Designation:

Compliance Noted

- Within redevelopment and revitalization areas transitioning out of industrial land use **NO**
- A planned mixed-use development (PUD), or as a complement to an existing area of mixed land use **YES**

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies U.S. Highway 71 as a Boulevard and Old Highway 71 South as a local road.

NEIGHBORHOOD MEETING

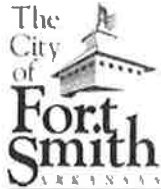
Two neighborhood meetings were held regarding the subject applications, one meeting on February 3, 2025, 5:30 P.M. at Rye Hill Baptist Church located at 11501 US Hwy 71, and a second meeting on February 4, 2025, 5:30 P.M. at Rye Hill Baptist Church located at 11501 US Hwy 71.

A combined total of thirty (30) neighboring property owners attended both meetings. Neighbors voiced concerns and questions regarding size and quantity of buildings, traffic, drainage density, property values, and potential increase in crime.

A copy of the attendance list and meeting minutes are enclosed for each meeting.

STAFF RECOMMENDATIONS

Staff recommends approval.



MASTER LAND USE PLAN APPLICATION

Minor Amendment Standard Amendment Major Amendment

(See Section 27-328-5 C. (Criteria))

Request to Amend Map Request to Amend Text

APPLICATION:

Indicate one contact person for this request:

Representative

Applicant

Applicant (person making request):
etc.):

Representative (engineer, surveyor, realtor,

Name: Carrington Creek Holdings, LLC
E-mail: cary@carringtoncreek.com
Address: P O BOX 10176, FORT SMITH, AR

Name: Ron Brixey
E-mail: ron@brixeyeng.com
Address: P. O. Box 6180, Fort Smith, AR 72906

Phone: 479-806-7474
Fax:

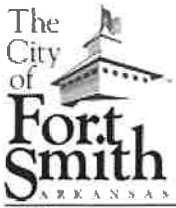
Phone: 479-646-6394 ext 1
Fax: 479-646-6721

Site Address / Location: 11100 Old Hwy 71

Surrounding Property

Current Land Use:

North: Single Family Residential
South: ETJ Low Density Residential
East: ETJ Light Commercial and Office
West: Residential Detached



MLUP Application

Existing MLUP Classification:

North

South

East

West

Existing Zoning Classification:

North

South

East

West

For a Minor, Standard or Major Master Land Use Plan Amendment, please attach the following information and answer the questions below. You may provide answers on a separate sheet and attach it to this application:

1. A legal description of the subject property that is to be amended (reclassified).
2. A map of the property which includes the scaled distance, legal description, and general vicinity map inset showing the property's location.
3. The area dimensions of the property in square feet or acres.
4. Describe existing road conditions and new roads to be included in the development and the effect of the proposed development on existing roads and traffic conditions:

The property fronts on Old Highway 71 which is a 20 foot wide street with no curb. The road surface is in moderate condition. New roads will include a looped 27' wide local street. The proposed development is not expected to adversely impact future traffic conditions.

5. Describe the existing public utility services and infrastructure (such as water, sewer, fire/police) which are available to the property and the source/method of providing additional utilities and infrastructure to the property if necessary:

The property is currently served by an existing 8" sanitary sewer line located approximately 220' East of the property line, a 14" waterline running along the east side of Old Hwy. 71, and all franchise utilities along the street.

6. Provide a statement of the proposed build-out density and maximum potential build-out density (units per acre) permitted by the proposed land use classification:

The proposed classification allows a density of 30 units per acre. The proposed build out density is undetermined at this time.

7. Identify any known or anticipated environmental concerns:

No known Environmental Concerns

For a Standard or Major Master Land Use Plan Amendment only, please attach the following additional information and answer the questions below. You may provide answers on a separate sheet and attach it to this application:

8. An analysis of the impact of the amendment on surrounding properties and plans in terms of:

a. Describe potential changes to development patterns in terms of local and regional impacts:

Local development is primarily residential with a mixture of single-family and duplex residences. This project will only effect the area by adding more duplexes and/or more single family residences.

b. Describe the consistency in zoning between existing and planned uses:

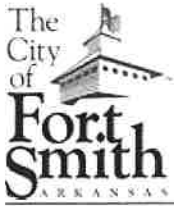
The existing zoning allows for residential development. The planned use is for residential mixed use development.

c. Provide explanation of the need for and demand in the proposed uses:

There is apparently a current need for new rental housing and individually owned residences in the area.

9. Provide an analysis of the long term development plan for the area (10-20 years) which incorporates a review of the land use, transportation, and infrastructure impact to both the City of Fort Smith and the property owner:

The area surrounding the proposed development is developed as residential to the north and east and commercial (including a church) to the south and west except for a 2.5 acre tract to the southwest which is undeveloped. This tract will probably be developed as a commercial tract.



Certification

Once an application has been deemed complete, the applicant shall not modify it unless requested or agreed upon by the Planning Department. Should the applicant request a modification to the application after it has been advertised for public hearing, it shall be at the discretion of the Planning Commission to review or continue the application. A re-advertising fee may be required.

I, the undersigned applicant, hereby certify that the information contained in this application is true and correct to the best of my knowledge and belief. I grant the appropriate City personnel permission to enter the subject property during reasonable hours so that they may investigate and review this application.

Ron Brisley
Signature (Agent/Owner)

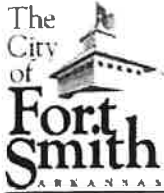
1/21/2025
Date

The City of Fort Smith requires complete applications. If your application does not include all of the information required for submission, it will not be processed.

Submit

NOTE: Applications can be submitted Online with Internet Explorer. If another browser is being used, the user will have to follow the instructions for electronic submission via email.

INSTRUCTIONS: To SUBMIT ELECTRONICALLY, please right click on download link and click save-as. Once the application has been downloaded to your device it can be filled out and submitted electronically.



AUTHORIZATION OF AGENT

If an agent (i.e., contractor) is acting on behalf of the owner(s), all owners must sign in the space provided. This form is necessary only when the person representing this request does not own all the property.

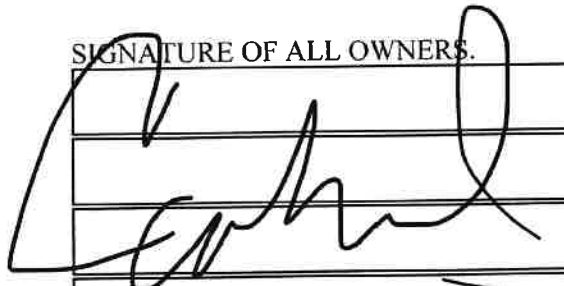
We the undersigned, being owners of real property, and requesting a PZD by application do hereby authorize Ron Brixey to act as our agent in the (Print Name of Agent) matter.

(Type or clearly print)

NAMES OF ALL OWNERS.

1.	Carrington Creek Holdings, LLC
2.	Cary Smallwood, Managing Partner
3.	
4.	
5.	
6.	
7.	
8.	
9.	

SIGNATURE OF ALL OWNERS.



This form is necessary only when the person representing this request does not own all the property.

ST

February 4, 2025

MINUTES OF NEIGHBORHOOD MEETING
PROPOSED KNOX LANDING DEVELOPMENT

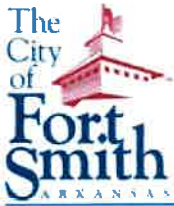
On February 3, 2025 at 5:30 P.M. a Neighborhood meeting was held in the main building of the Rye Hill Baptist Church located at 11501 Us Highway 71, Fort Smith, Arkansas. The meeting was called to discuss a proposed Zone Change from ETJ O1 to PZD (Planned Zoning District), a proposed revision to the Master Land Use Plan from ETJ-O1 Neighborhood Commercial and ETJ O-1 Light Commercial and Office to Mixed Use Residential. The applications for a Zone Change and Land Use Change require that a Neighborhood Meeting be conducted to allow the neighboring property owners the opportunity to ask questions and to comment on the proposal. Due to the fact that the Land Use Change request is for a “Standard” change, an additional meeting is required. The proposals were initiated by the owner and developer, Carrington Creek Holdings, LLC.

Carrington Creek Holdings, LLC proposes to develop the property as mixed use single-family/ duplex/commercial facility.

Thirty Three people were in attendance. The City was represented by Maggie Rice of the Planning Department. Ron Brixey of Brixey Engineering presided. The Developer was represented by Cary Smallwood, Chase Smallwood, and Matt Edwards.

Mr. Brixey presented a general explanation of the proposed development. Cary Smallwood answered questions concerning size and quality of proposed building. Those in attendance had concerns including effects on property values, density, traffic, and a potential increase in crime. It was mentioned that the development would not be consistent with the current estate sized lots to the north and residential single family residences to the east. Also of concern was an increase in traffic and proposed handling of runoff. All of the attendees seemed to be in agreement.

There was no further discussion, and the meeting adjourned at approximately 6:30 P.M.

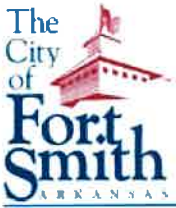


Attendance List for Neighborhood Meeting

List the names, addresses telephone numbers and email of all residents/property owners who attended the meeting.

Meeting Location	Rye Hill Baptist Church, 11501 US Hwy 71 S
Meeting Time & Date	5:30 PM, Monday, February 3, 2025
Meeting Purpose	Discuss PZD Application

Name	Address	Phone	Email
Annette Kirsch	11501 Hwy 71 S	479-646-1044	ryehillbc@gmail.com
Terry Lea	6207 CEDAR BREAK DR	479-429 6480	T@GTerLea@gmail.com
Mrs Mrs. Evans	11200 Northfield Ct	405-301 5252	evan 8727@yahoo.com
Edward Ward	5900 Valley View Dr	479-739-5200	AR72916@pm.me
MUTT EDMUND	54 Flank Dr	479 719 7017	mutt@cunninghamkirk.com
Chase Smallwood	7208 Forest Canyon	479 650 7160	chase@amintastudio.com
KURT WESTFALL	11800 Maple Park Dr	816-261-5753	kurtwestfall@gmail.com
ROD BRILEY			
MAGGIE RICE			



Attendance List for Neighborhood Meeting

List the names, addresses telephone numbers and email of all residents/property owners who attended the meeting.

Meeting Location	Rye Hill Baptist Church, 11501 US Hwy 71 S
Meeting Time & Date	5:30 PM, Monday, February 3, 2025
Meeting Purpose	Discuss PZD Application

Name	Address	Phone	Email
Stan Green	5612 Rye Hill	479-650-9168	
Jeannie Smith	6208 Meadow Brk	479-431-9633	
Troy Eckelhoff	5500 HPO BOX 180180	479-629-9367	
	Ft Smith	AD 72918	KTCSmusic@gmail.com
Kathryn Dams	12008 Maple Park	479-974-7196	katdavis24@gmail.com
George bellard	11006 MJP Drive	479-343-0286	
Dan Peterson	5908 Cedar Break Dr.	603-8330695	
RONNIE MALLARD	6106 MEADOW BROOK DR	479-883-4368	RGMALLARD@COX.NET
Leslie Hampe	6811 Deer Field Dr	479-650-6138	leslie@markhamms.com
Cary Shalton	8206 Arrow Way	979-806-7774	
Chelsea Duth	5000 Rye Hill Pk	479-459-3255	duthmax78@gmail.com
Jerron Duth	" " Fm	" "	" "
Elizabeth Kusan	5800 Valley View		jdredst7@comcast.net
Bobby Fletcher	11908 Maple Park Dr	479 926 7944	bobbiefletcher@gmail.com



Attendance List for Neighborhood Meeting

List the names, addresses telephone numbers and email of all residents/property owners who attended the meeting.

Meeting Location	Rye Hill Baptist Church, 11501 US Hwy 71 S
Meeting Time & Date	5:30 PM, Monday, February 3, 2025
Meeting Purpose	Discuss PZD Application

Name	Address	Phone	Email
Mr. & Mrs. Sam Miller	11201 Maple Park Dr.	501-831-1064	ram71hvt@gmail.com
Maria Miller	6600 Fieldcrest Dr	479-461-0747	maria.miller2022@outlook.com
Rick Davenport	11207 Maple Park Dr.	405-881-7130	rddav63@gmail.com
Jacqui Peterson	5908 Cedar Break Dr	603-833-0686	aitkenheadjap@gmail.com
FRANK JUAREZ	5913 CEDAR BREAK DR	479-420-4173	frankjua_66@msn.com
IRMA JUAREZ	5913 CEDAR BREAK DR	479-420-4798	irmajud@aol.com
Mark Hampton	6801 Deer Field	479-652-0134	mark@markhampton.com
Rao Wiley	6000 Oak Dr	479-883-8887	RWiley@the.com
Andy Brown	6703 Deerfield Div	479-414-6932	andybrownrealtor@gmail.com
Rachel Brown	6703 Deerfield Drive	479-651-1878	Rachelcbrown@gmail.com

Last updated: May 7, 2020

February 5, 2025

MINUTES OF SECOND NEIGHBORHOOD MEETING
PROPOSED KNOX LANDING DEVELOPMENT

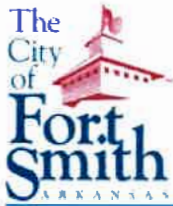
On February 4, 2025 at 5:30 P.M. a Neighborhood meeting was held in the main building of the Rye Hill Baptist Church located at 11501 Us Highway 71, Fort Smith, Arkansas. The meeting was called to discuss a proposed Zone Change from ETJ O1 to PZD (Planned Zoning District), a proposed revision to the Master Land Use Plan from ETJ-O1 Neighborhood Commercial and ETJ O-1 Light Commercial and Office to Mixed Use Residential. The applications for a Zone Change and Land Use Change require that a Neighborhood Meeting be conducted to allow the neighboring property owners the opportunity to ask questions and to comment on the proposal. Due to the fact that the Land Use Change request is for a “Standard” change, an additional meeting is required. The proposals were initiated by the owner and developer, Carrington Creek Holdings, LLC.

Carrington Creek Holdings, LLC proposes to develop the property as a mixed use single-family/duplex/commercial facility.

Nine people were in attendance. The City was represented by Tim Herndon of the Planning Department. Ron Brixey of Brixey Engineering presided. The Developer was represented by Cary Smallwood, Chase Smallwood, and Matt Edwards.

Mr. Brixey presented a general explanation of the proposed development. Cary Smallwood answered questions concerning size and quality of proposed buildings. Those in attendance had concerns including effects on property values, density, and traffic. It was mentioned that the development would not be consistent with the current estate sized lots to the north and residential single family residences to the east. Also of concern was an increase in traffic. All of the attendees seemed to be in agreement.

There was no further discussion, and the meeting adjourned at approximately 6:25 P.M.



Attendance List for Neighborhood Meeting

List the names, addresses telephone numbers and email of all residents/property owners who attended the meeting.

Meeting Location

Rye Hill Baptist Church, 11501 US Hwy 71 S

Meeting Time & Date

5:30 PM, Tuesday, February 4, 2025

Meeting Purpose

Discuss PZD Application

Name	Address	Phone	Email
Tim Herndon	City of Ft. Smith		tim.herndon@fismithar.gov
Chase Smallwood	7208 Forest Canyon	479 650 7160	chase@carryingtonstudios.com
CAIT Smallwood	7208 Forest Canyon	479-806 7474	
Matt Edmund	7208 Forest Canyon	479 719 7017	matt@carryingtonstudios.com
Carla Stobedick	6200 Rye Hill Rd E	(816) 352-1098	carlae.clark@aol.com
Andy Upchurch	7104 Highland Park	949-254-3045	andychurch@ARF.com
BRIAN SWAIM	6807 Highland Park	479 459-3238	Bswaim@ARF.com
Mark Smith	5808 Rye Hill Rd E	479 462 5311	
ROB BRIDGES			

Last updated: May 7, 2020

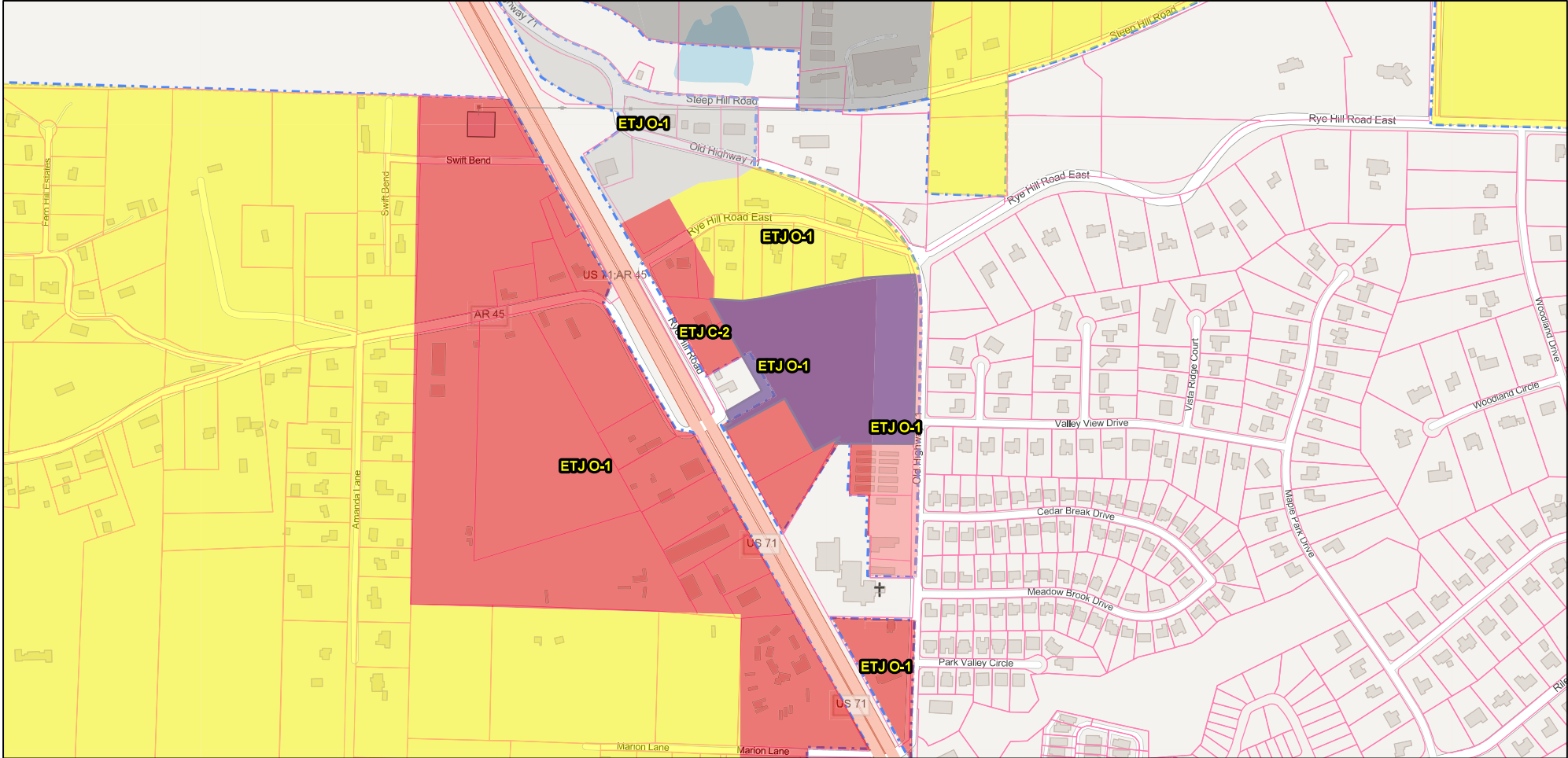
From: [Miller, Perry](#)
To: [Planning Email Group](#)
Subject: 11100 Old Hwy 71 PZD
Date: Wednesday, January 29, 2025 11:08:00 AM
Attachments: [image001.png](#)

Shane Medford at 5200 Rye Hill Road (Farmers Insurance Office) phone 353-1818 called in opposition to the PZD request. I explained the PZD and proposed changes from the previous request. He stated he is opposed to everything within this request. He would only support a single-family subdivision. I will add a copy to the files.



Tyler Miller
Deputy Director, Planning
623 Garrison Avenue, Room 331
Phone: (479)784-2241
Email: pmiller@fortsmithar.gov
Web: www.fortsmithar.gov

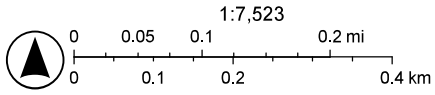
Master Land Use Plan Amendment #3-2-25 – for a Master Land Use Plan amendment from Extraterritorial Jurisdiction Light Commercial Office and Extraterritorial Jurisdiction Neighborhood Commercial to Mixed Use Residential in a proposed Planned Zoning District (PZD) at 11100 Old Highway 71



1/29/2025, 9:36:03 AM

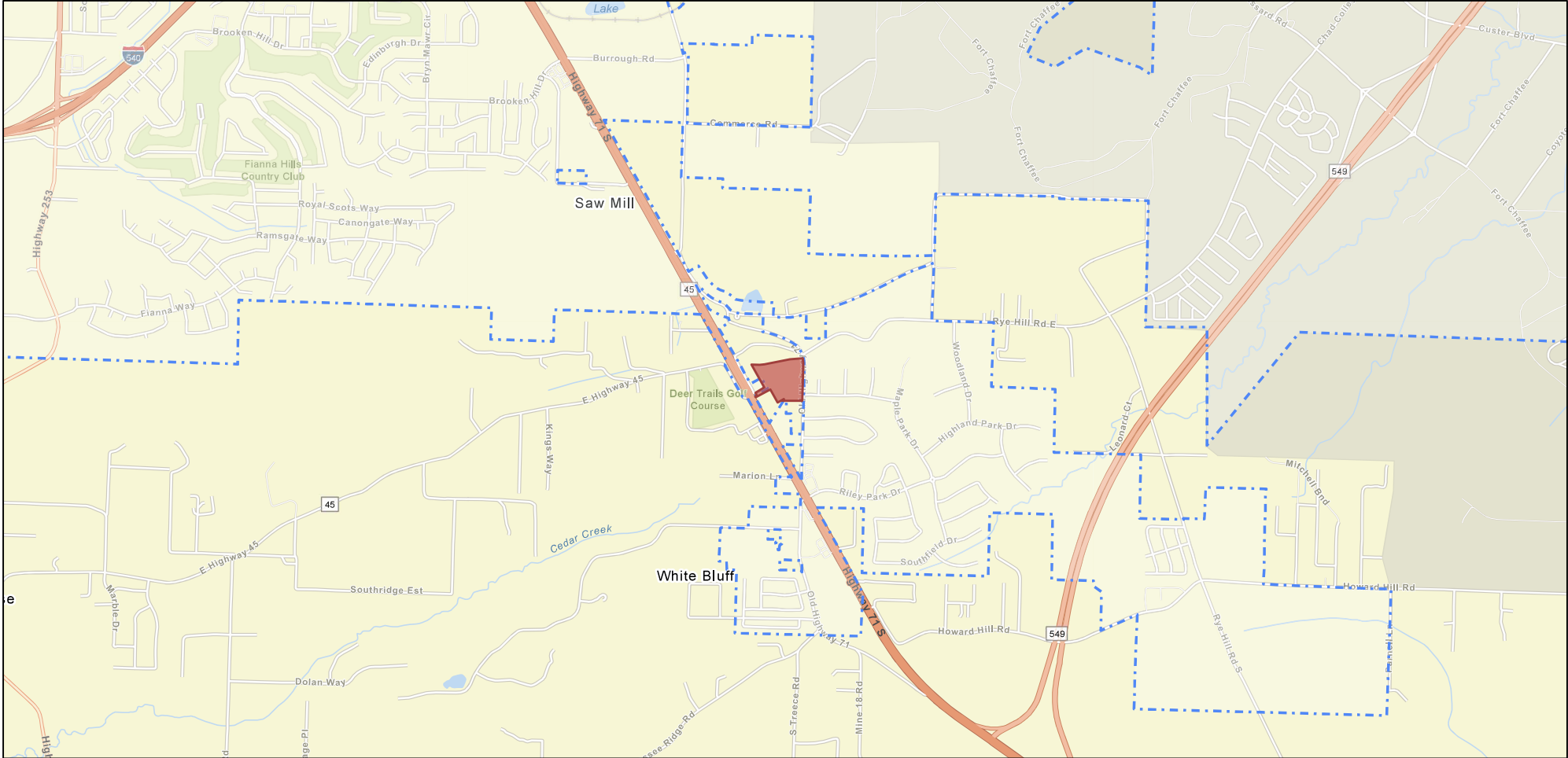
ETJ Land Use

- LIGHT INDUSTRIAL
- LOW DENSITY RESIDENTIAL
- LIGHT COMMERCIAL AND OFFICE
- NEIGHBORHOOD COMMERCIAL
- Parcels
- Fort Smith City Limits



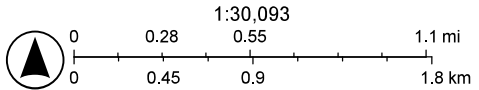
Map data © OpenStreetMap contributors, Microsoft, Facebook, Inc. and its affiliates, Esri Community Maps contributors, Map layer by Esri

Master Land Use Plan Amendment #3-2-25 – for a Master Land Use Plan amendment from Extraterritorial Jurisdiction Light Commercial Office and Extraterritorial Jurisdiction Neighborhood Commercial to Mixed Use Residential in a proposed Planned Zoning District (PZD) at 11100 Old Highway 71



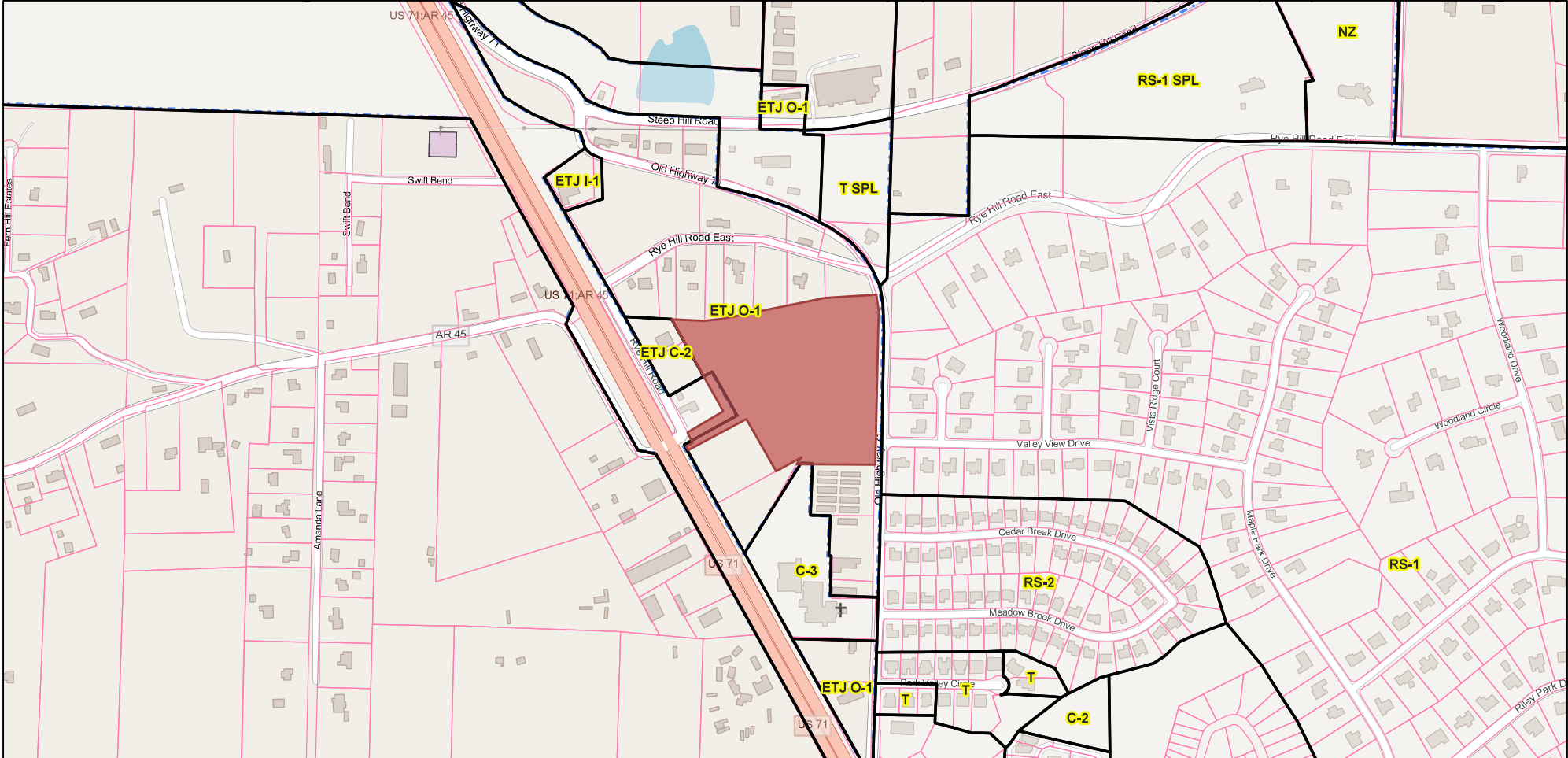
1/29/2025, 8:31:53 AM

Fort Smith City Limits



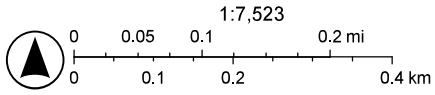
Arkansas GIS Office, Texas Parks & Wildlife, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Master Land Use Plan Amendment #3-2-25 – for a Master Land Use Plan amendment from Extraterritorial Jurisdiction Light Commercial Office and Extraterritorial Jurisdiction Neighborhood Commercial to Mixed Use Residential in a proposed Planned Zoning District (PZD) at 11100 Old Highway 71



1/29/2025, 8:26:04 AM

- Zoning
- Parcels
- Fort Smith City Limits



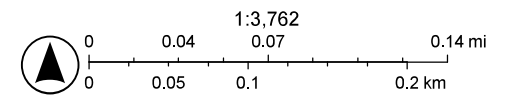
Map data © OpenStreetMap contributors, Microsoft, Facebook, Inc. and its affiliates, Esri Community Maps contributors, Map layer by Esri

Rezoning #7-2-25 – for a zone change from Extraterritorial Jurisdiction Open-1 (ETJ O-1) to a Planned Zoning District (PZD) at 11100 Old Highway 71



1/29/2025, 8:29:08 AM

- Parcels
- Road Labels
- Fort Smith City Limits



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**Fort Smith
Planning Commission**

Item Number:
REZ #7-2-25

Hearing Date: February 11, 2025

Report Prepared by:

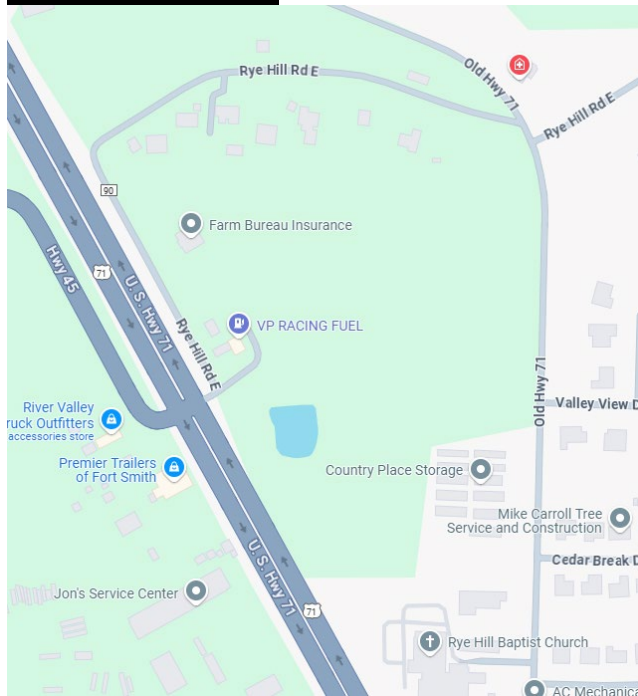
Planning Staff

Applicant Information:

Applicant: Ron Brixey

Owner: Carrington Creek Holdings, LLC.

Location Map:



Applicant Proposal:

Address: 11100 Old Highway 71

Present Use: Undeveloped

Summary: Zone request from Extraterritorial Jurisdiction Open-1 to Planned Zoning District (PZD)

Total Tract Size: 16.42 Acres

Location: East of U.S. Highway 71 South, South of Rye Hill Road on the west side of Old Highway 71 South

Existing Zoning:

ETJ-O-1

Master Land Use Plan:

ETJ-Light Commercial Office and
ETJ-Neighborhood Commercial

Staff Recommends:

Approval

Memo

To: City Planning Commission

From: Planning Staff

Date: February 11, 2025

Re: Rezoning #7-2-25 - A request by Ron Brixey, agent for Carrington Creek Holdings, LLC., for Planning Commission consideration for a zone request from Extraterritorial Jurisdiction Open-1 (ETJ-O-1) to a Planned Zoning District (PZD) by classification at 11100 Old Highway 71 South.

PROPOSED ZONING

Approval of the application rezones the property allowing for a mixed-use development containing four character areas known as Character Area A (3.37 acres), Character Area B (9.55 acres), Character Area C (0.79 acres), and Character Area D (2.71 acres). Character Area A allows single family. Character Area B allows single-family, duplexes, row-houses, zero lot line dwelling units, and commercial land uses. Character Area C permits single-family residences, row-house, zero lot line dwelling units, and commercial land uses. Character Area D is reserved for a future Major Arterial right-of-way. Additionally, the approval facilitates a request to annex 16.42 acres into the corporate city limits of Fort Smith.

LOCATION AND SIZE

The subject property is on the east side of U.S. Highway 71, south of Rye Hill Road, and west of Old Highway 71 South. The site contains an area of 16.42 acres with approximately 100' feet of street frontage along U.S. Highway 71 and 890 feet of street frontage along Old Hwy 71 South.

REQUESTED ZONING

The applicant has requested a Planned Zoning District (PZD). The purpose of a Planned Zoning District is to assure control of certain development while providing the applicant a means of gaining commitment without undue financial risk. Specifically the purposes of a PZD are to encourage:

- Better utilization of sites characterized by special features of geographic location, topography, size, or shape;
- Flexible administration of general performance standards and development guidelines;
- Primary emphases shall be placed upon achieving compatibility between the proposed developments and surrounding areas to preserve and enhance the neighborhood through the use of enhanced site design, architecture, landscaping, and signage.
- Developments that utilize design standards greater than the minimum required by the UDO.

EXISTING ZONING

The existing zoning on this tract is Extraterritorial Jurisdiction Open-1(ETJ Open-1). Characteristics of this zone are as follows:

Purpose:

A zone to protect the undeveloped areas within the city’s extraterritorial zoning jurisdiction from incompatible land use or other specific uses that may constitute a nuisance to the residents therein or uses that may create an endangerment to the health, safety, or general welfare of the jurisdiction’s population.

Permitted Uses:

Single family homes, duplexes, nurseries and greenhouses, truck farms, golf courses, fire and police station, utility substations and parks, playgrounds and other open spaces.

Conditional Uses:

Agricultural uses (limited), churches, country clubs more than ten (10) acres, boarding schools, nursing homes, orphanages, educational services and public buildings.

SURROUNDING ZONING AND LAND USE

Direction	Land use	Zoning
North	Single Family Residences	ETJ-O-1, Extraterritorial Jurisdiction Open-1
West	Convenience Store (With Gasoline Sales)	ETJ-O-1, Extraterritorial Jurisdiction Open-1
South	Mini-storage warehouse (non-climatized) and Church	ETJ-O-1, Extraterritorial Jurisdiction Open-1 and C-3, Commercial Moderate
East	Single Family Residences	RS-1, Residential Single Family Low Density and RS-2, Residential Single Family Medium Density

MASTER LAND USE PLAN

The current Master Land Use Plan currently classifies this site as Extraterritorial Jurisdiction Light Commercial Office and Extraterritorial Jurisdiction Neighborhood Commercial. A companion Master Land Use Plan amendment requesting Mixed-Use Residential. The proposed classification is intended to provide for a dense, compatible mix of retail, residential, employment and production activities designed for all modes of transportation

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies U.S. Highway 71 as a Boulevard and Old Highway 71 South as a local road.

PROJECT BOOKLET

A copy of the project booklet is enclosed for your review. The following criteria shall be considered by the Planning Commission when reviewing the project booklet:

- A. Is the site capable of accommodating the building(s), parking areas and drives with the appropriate open space provided? **YES**
- B. Does the plan provide for safe and easy ingress, egress and internal traffic circulation? **YES**

- C. Is the plan consistent with good land use planning and site engineering design principles, particularly with respect to safety? **YES**
- D. Are the architectural designs consistent with the City of Fort Smith policies and regulations and compatible with surrounding land use features? **YES**
- E. Does the Plan represent an overall development pattern that is consistent with the Master Street Plan, Master Land Use Plan, and other adopted planning policies? **YES**
- F. The required right-of-way dedication has been identified by the City Engineering Department? **The required R.O.W. dedication will take place during the platting process.**
- G. All easements and utilities shall meet the requirements of the approving departments and agencies? **The required easement requirements will take place during the platting process.**
- H. Articulate how the plan minimizes or mitigates the impact of increased traffic both in volume and vehicle size. **Included within your packet is traffic information.**
- I. Articulate how the plan exceeds the UDO requirements. (e.g. increased landscaping increased high quality materials, etc.) **YES. The booklet states that the PZD will provide 100% high quality materials for all facades for commercial buildings, row house, and zero lot line development.**

SITE DESIGN FEATURES

Ingress/egress/traffic circulation – The subject property has access to Old Highway 71 and U.S. Highway 71.

Right-of-way dedication – The required R.O.W. will take place during the platting process.

Drainage – The required drainage information will be provided during the platting process. The booklet states that all drainage will comply with the City of Fort Smith 2011 Drainage Standards.

Landscaping & Screening – The booklet states that the landscaping will comply with all applicable section of the UDO for the type of development. The booklet also states that all landscaping will utilize an automatic irrigation system.

Parking – The booklet states that it will comply with the UDO parking requirements.

Signage – The booklet states that signage for Character Area A will comply with Section 27-704-1(5) signage for subdivision development and Character Area B&C will comply with Section 27-704-2 permitted signs within transitional zones.

Sidewalks – The booklet states that the PZD will comply with the required subdivision regulations in Section 500 of the UDO for the required sidewalks.

FACTORS TO BE CONSIDERED

Approval, approval as amended, or denial of the application and project booklet shall be based on the following factors as outlined in Section 27-341-3(E) of the UDO:

- A. Compatibility with the Master Street Plan, and applicable area plans (e.g., corridor, neighborhood)
- B. Compatibility of the proposed development with the character of the neighborhood.

- C. The zoning and uses of adjacent and nearby properties, and the compatibility of the proposed future uses with those existing uses.
- D. The extent to which the proposed land use would increase or change traffic volume or parking demand in documented evidence or engineering data, road conditions, road safety, or create parking problems in combination with any improvements that would mitigate these adverse impacts.
- E. The current availability of public utilities and services and the future capacity needed to adequately serve the proposed land use in combination with any improvements that would mitigate these adverse impacts.
- F. That the application complies with all relevant ordinance requirements (for example 27-200, 27-500, 27-600, and 27-700).

NEIGHBORHOOD MEETING

Two neighborhood meetings were held regarding the subject applications, the first meeting on February 3, and a second meeting on February 4, 2025. Both meetings were located at Rye Hill Baptist Church located at 11501 US Hwy 71.

A combined total of thirty (30) neighboring property owners attended both meetings. Neighbors voiced concerns and questions regarding size and quantity of buildings, traffic, drainage, density, property values, and potential increase in crime.

A copy of the attendance list and meeting minutes are enclosed for each meeting.

STAFF COMMENTS

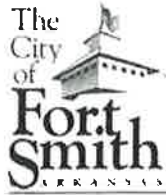
The applicant is requesting a rezoning for a PZD to allow for mixed-use residential development with four-character areas. Character Area A located on the northwest and eastern property lines is 3.37 acres and will only allow single-family detached homes. Character Area B with an area of 9.55 acres is located within the center of the development and will allow single-family, duplexes, row houses, zero lot line development and commercial land uses. Character Area C located at the northern end of the property is 0.79 acres and will allow single-family, row house, zero lot line development and commercial land uses. Character Area D is 2.71 acres and will be reserved for the future Major Arterial as identified on the Master Street Plan.

The existing ETJ-O-1 zone permits single family homes, duplexes, nurseries and greenhouses, truck farms, golf courses, fire and police station, utility substations and parks, playgrounds and other open spaces; however, the applicant has petitioned for annexation allowing connection to sewer.

Additionally, the site is bisected by a future five-lane Major Arterial Street providing connectivity from U.S. Highway 71 to Rye Hill Road East. Included within the packet is information from the City Engineering Department regarding the additional traffic.

STAFF RECOMMENDATIONS

Staff recommends approval.



Application updated January 2022

PLANNING & COMMUNITY DEVELOPMENT

CITY OF FORT SMITH, ARKANSAS Planned Zoning Development

FOR STAFF USE ONLY	FEE: \$350
Date Application Submitted:	Zone:
Date Accepted as Complete:	
Project Number:	
Public Hearing Date:	

Application:

Indicate one contact person for this request:

Applicant

Agent

Applicant (person making request):

Name: Carrington Creek Holdings, LLC
E-mail: chase@carringtoncreek.com

Agent (engineer, surveyor, realtor, etc.):

Name: Ron Brixey
E-mail: ron@brixeyeng.com

Address:

P.O. Box 10176
Fort Smith, Ar 72917

Address:

5223 E. Hwy. 45
Fort Smith, Ar 72916

Phone: 479-459-6200

Phone: 479-646-6394

Fax:

Fax: 479-646-6721

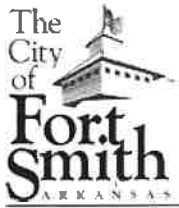
Site Address / Location: 11100 Old Hwy 71

Current Zoning District: ETJ O-1

Requested Zoning District: PZD

Assessor's Parcel Number(s) for property: 60001-0000-05819-05

623 Garrison Avenue, Rm 331
Fort Smith, AR 72901
479-784-2216 planning@fortsmithar.gov



Application updated January 2022

PLANNING & COMMUNITY DEVELOPMENT

PLANNED ZONING DEVELOPMENT

Total Acreage: 16.42 acres

Legal Description of property: Provide legal description in a word document.

Legal Description of property:

Restrictive Covenants Apply (attach to application)

Note: Fees cover the administrative costs of advertising and notifying neighboring property owners. Fees are Non-Refundable.

Describe Proposed Zoning Request, including the development of any construction on the property:

A change in zoning is needed to allow the development of a mixed use neighborhood that fwill include commercial areas, single family areas, duplex areas, and row house areas.

PROPERTY OWNER(S) / AUTHORIZED AGENT: The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas, pursuant to Ordinance No. 3391 and Arkansas Statutes (1974) 19-2830. Once deemed completed, no modification may be made unless requested or agreed upon by the Planning Department. Should modification to the application be requested after advertising, it shall be at the discretion of the Planning Commission to review or continue. Re-advertising fee may apply.

I, the undersigned applicant, hereby certify that the information contained in this application is true and correct to the best of my knowledge and belief. I grant the appropriate City personnel permission to enter the subject property during reasonable hours so that they may investigate and review this application.

Name and Signature	Date
Ron Brixey Digitally signed by Ron Brixey Date: 2022.11.10 13:39:10 -06'00'	01/20/2025

LIST OF OWNERS OF ALL PROPERTY TO BE REZONED

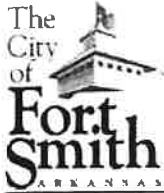
List the names and addresses of all owners of property included within the area requested by this petition to be rezoned.

NAME

ADDRESS

Carrington Creek Holdings, LLC

P.O. Box 10176, Ft. Smith, Ar



AUTHORIZATION OF AGENT

If an agent (i.e., contractor) is acting on behalf of the owner(s), all owners must sign in the space provided. This form is necessary only when the person representing this request does not own all the property.

We the undersigned, being owners of real property, and requesting a PZD by application do hereby authorize Ron Brixey to act as our agent in the (Print Name of Agent) matter.

(Type or clearly print)

NAMES OF ALL OWNERS.

1.	Carrington Creek Holdings, LLC
2.	Cary Smallwood, Managing Partner
3.	
4.	
5.	
6.	
7.	
8.	
9.	

SIGNATURE OF ALL OWNERS.

This form is necessary only when the person representing this request does not own all the property.

ST

LETTER REGARDING RESTRICTIVE COVENANTS

Restricted covenants are regulations that are maintained and enforced by the property owners of the subject subdivision. These covenants may be found in your abstract or at the County Circuit Clerks Office. Restrictive covenants are often enforced in subdivisions with homeowner's associations and can always be more restrictive but never less restrictive than the City of Fort Smith's Zoning Regulations. *(See attached additional information on restrictive covenants)*

TO: Planning Department

SUBJECT: Legal Description of Property: Provide legal description in a word document.

I have searched all applicable records, and to my best knowledge and belief, there are no restrictive covenants running with the above described land, except as follows:

- None; or
- Attach copy of Covenants in the application packet

Submit

NOTE: Applications can be submitted Online with Internet Explorer. If another browser is being used, the user will have to follow the instructions for electronic submission via email.

INSTRUCTIONS: To SUBMIT ELECTRONICALLY, please right click on download link and click save-as. Once the application has been downloaded to your device it can be filled out and submitted electronically.

**KNOX LANDING
PROJECT BOOKLET
PLANNED ZONING DISTRICT APPLICATION**

Project: KNOX LANDING
PROJECT BOOKLET
PLANNED ZONING DISTRICT APPLICATION

LOCATION: A PART OF E/2, NE/4, SECTION 23 TOWNSHIP 7
NORTH, RANGE 32 WEST SEBATION COUNTY, ARKANSAS
11100 OLD HIGHWAY 71

DEVELOPER: CARRINGTON CREEK HOLDINGS, LLC
P.O. BOX 10176
FORT SMITH, ARKANSAS 72917
PHONE: 479-459-6200

SUBMITTED TO: CITY OF FORT SMITH
623 GARRISON AVENUE ROOM 331
FORT SMITH, ARKANSAS 72902

ENGINEERS: BRIXEY ENGINEERING & LAND SURVEYING, INC.
P.O. BOX 6180
FORT SMITH, ARKANSAS 72906

JANUARY 17, 2025

PLANNED ZONING DISTRICT
CERTIFICATION STATEMENT
Application updated July 2021

The Carrington Creek Holdings, LLC, applicant for the property located at East of 5114 Rye Hill Road East, does hereby certify that the Project Booklet for a Planned Zoning District complies with the City of Fort Smith's Planned Zoning District Regulations as defined in Section 27-341 of the Fort Smith Unified Development Ordinance

We hereby agree to the terms and conditions with the Project Booklet, and request the City of Fort Smith to approve the zoning.

Signature: **Ron Brixey** Digitally signed by Ron Brixey
Date: 2022.11.10 13:40:55
-06'00'

Name: Ron Brixey

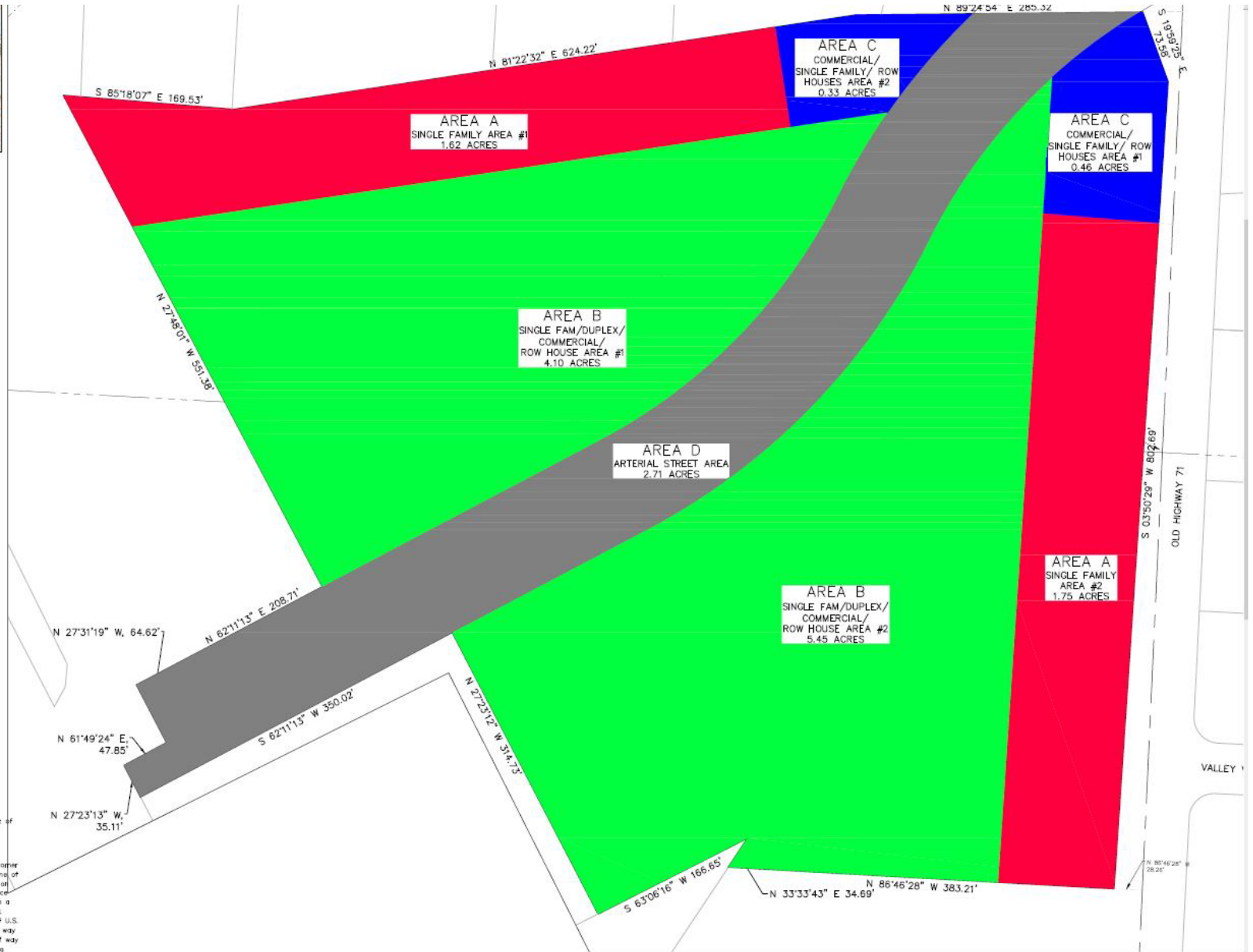
Date: 1/20/2025



VICINITY MAP
NTS

LEGEND

PROPERTY LINE	—————
CHARACTER BORY. LINE	—————
ADJACENT PROPERTY LINE	—————
AREA A SINGLE FAMILY AREA	
AREA B SINGLE FAM/DUPLEX/ ROW HOUSE/COMMERCIAL AREA	
AREA C COMMERCIAL/ SINGLE FAMILY ROW HOUSES AREA	
AREA D ARTERIAL STREET AREA	



Y. (DESCRIPTION):
 of the Southeast Quarter (SE/4) of the Northeast Quarter (NE/4) and part of
 of the Southeast Quarter (SE/4) of the Northeast Quarter (NE/4) of Section 23,
 T47 N, R32 W, Sebastian County, Arkansas being more
 fully described as follows:
 starting at an existing P/A nail in Old Highway 71 marking the Southeast corner
 1 SE/4 of the NE/4; thence N 02°37'22" W, 916.39 feet along the East line of
 E/4 of the NE/4; thence N 85°50'50" W, 27.58 feet to an existing rebar on
 set right of way line of Old Highway 71 being the Point of Beginning; thence
 0°28' W, 383.21 feet to a set rebar; thence N 33°33'43" E, 34.69 feet to a
 bar; thence S 63°06'16" W, 166.65 feet; thence N 27°23'12" W, 314.73 feet;
 S 62°11'02" W, 350.02 feet to a point on the Eastern right of way line of U.S.
 71 (North bound); thence N 27°23'13" W, 35.11 feet along said right of way
 a punch in concrete; thence N 61°49'24" E, 47.85 feet along said right of way
 hence N 27°31'19" W, 64.62 feet along said right of way line to an existing

**KNOX LANDING
PROJECT BOOKLET
PLANNED ZONING DISTRICT APPLICATION**

3a. Reason for requesting the zoning change and response to how the proposal fulfills the intent/purpose of the Planned Zoning District.

The subject property is currently zoned ETJ O-1. A change in zoning is needed to allow the development of a mixed-use neighborhood that features four (4) character areas, and an area reserved for a future Major Arterial Street as shown on the Character Area Exhibit. A Planned Zoning District will allow flexibility in standards to accommodate the mixed-use residential areas including:

Character Area A – Single-family Detached Residences

Character Area B – Single-family, Duplex, Row House, and Commercial

Character Area C – Single-family, Row House, and Commercial

Character Area D – Shall be reserved only for a future Major Arterial Street extension.

The PZD development will utilize design standards that meet or exceed the minimum requirements of the UDO.

3b. Current ownership information (landowner/applicant and representative if applicable) and any proposed or pending property sales.

Carrington Creek Holdings, LLC, P.O. Box 10176, Fort Smith, Arkansas 72917 Phone 479-459-6200.
Representative, Ron Brixey, Brixey Engineering & Land Surveying, Inc., 5223 East Highway 45, Fort Smith, Arkansas 72916 Phone 479-646-6394.

3c. Comprehensive description of the scope, nature, and intent of the proposal.

The PZD will include an area of approximately 16.42 acres located on the west side of Old Highway 71 with the northeast corner being at the intersection of Old Highway 71 and Rye Hill Road East. The property has a current Master Land Use classification of ETJ-Neighborhood Commercial and ETJ-Light Commercial and Office. The applicant is requesting a Master Land Use Plan amendment to Mixed Use Residential.

As stated in section 3a, the property will have multiple character areas with land uses that include single family, row house, duplex, and commercial development with an area reserved for a Future Major Arterial Street.

3d. General project scope:

i. Street and lot layout

The proposed streets will be public right of way and shall comply with the minimum requirements for streets as outlined in Chapter 22 of the Fort Smith municipal code. Street alignments will generally follow the Character Area boundaries. If a new street is developed on the southeast portion of the property the street will align with Valley View Drive. An emergency fire exit will be provided to connect US Highway 71 located on the southwest portion of the development.

ii. Site plan showing proposed improvements

A Character Area Exhibit has been provided outlining the location of the proposed mixed-use development and where individual land uses will be limited.

iii. Buffer areas, screening, and landscaping

Buffer areas and landscaping will comply with all applicable sections of the UDO. All required landscaping will utilize an automatic irrigation system.

iv. Storm water detention areas and drainage

All drainage and detention will comply with the City of Fort Smith 2011 Drainage Standards.

v. Undisturbed natural areas

No undisturbed natural areas are proposed.

vi. Existing and proposed utility connections and extensions

Water services will be provided by public main lines running within the street rights of way and adjacent easements as required. The proposed interior water main lines will connect to an existing 14-inch transmission line located along the eastern side of Old Highway 71. Fire hydrants will be provided as required by the Fire Code and water lines will be provided as required by the City of Fort Smith to support the proposed development during the Utility design stage.

Sewer services will be provided by public main lines running within the street rights of way and adjacent easements as required. The proposed interior sewer main lines will connect to a proposed extension of an 8-inch main located on the south side of Valley View Drive at a point being approximately 175 feet east of the centerline of Old Highway 71. This extension will be located within the right-of-way of Valley View Drive.

Electric, gas, communications, and other franchises utilities are proposed to be located underground in utility easements proposed to be located along the rights-of-way of future subdivision streets as requested by the Franchise Utilities.

vii. Development and architectural design standards

Development and architectural design standards shall comply with Section 27-602-4-C Transitional and Commercial Building Design Standards for commercial development. The commercial developments within the approved Character Area will provide 100% high-quality materials on all facades.

viii. Building elevations

Building elevations will comply with the development and architectural design standards of the UDO as listed above in Section Vii of the PZD booklet.

ix. Proposed signage (type and size)

Character Area A will comply with Section 27-704-1(5) signage for subdivision developments.

Character Area B & C shall comply with Section 27-704-2 permitted signs in Transitional zones. If Character Areas B or C are developed as residential it must follow Character Area A signage regulations listed above.

3e. Proposed development phasing and timeframe

The development is proposed to be constructed in one phase.
Construction is to begin June 1, 2025, and be completed by June 1, 2026.
All dates are approximate.

3f. Identify land use designations

The property to the east across Old Highway 71 is zoned RS-1 Residential Single Family Low Density and developed as a single-family subdivision.

The property to the north is zoned ETJ-O-1 and is developed as single-family residences.

The property located to the south is zoned ETJ-O-1 and Commercial Moderate (C-3) and is developed as a mini-storage facility and church.

The property located to the west is zoned ETJ-O-1 and ETJ-C-1 (ETJ-Commercial Light) and is developed as a convenience store with gasoline sales, insurance offices, and undeveloped.

3G and H. Identify area and bulk regulations and comparison Bulk/Area chart

Zoning Standard	ETJ-O-1	PZD Character A	PZD Character B* Commercial Built to Character Area C	PZD Character C* Residential Built to Character Area B	PZD Character D
Min. Lot Size (ft ²)	N/A	3,500 s.f.	(3,000 s.f. for Row House and Zero Lot Line) (3,500 s.f. for duplex and single-family)	8,700 s.f.	Future Major Arterial
Min. Lot Width at BSL (ft)	N/A	35'	35'	35'	
Max Lot Coverage (%)	N/A	65%	65%	60%	
Max Height (ft)	N/A	35'	35'	35'	
Front Setback (ft)	N/A	20'	20'	20'	
Side Setback (ft)	N/A	5'	(Row House and Zero Lot Line Section D of the UDO RS-5 Bulk and Area) (Duplex and Single Family 5')	5'	
Street side/corner Setback (ft)	N/A	10'	10'	10'	
Rear Setback (ft)	N/A	5'	5'	5'	
Setback Adjacent to s.f. development	N/A	10'	10'	10'	
Min. Street Frontage (ft)	N/A	20'	20'	0	

- All building separations shall comply with the City of Fort Smith’s Building and Fire Codes.
- Character Area D/Future Major Arterial Road
- A copy of the character area exhibit is included.
- If Character Area C is developed as single family, the development will comply with Character Area A Bulk and Area Standards.
- If Character Area B is developed as commercial, the development will comply with Character Area C Bulk and Area Standards.

3i. A chart comparing the proposed land uses and the zoning district(s) where such land uses are permitted.

See Chart 1 - PZD Permitted Land Uses vs. Existing Zone Designations.

3j. A chart articulating how the project exceeds the UDO requirements (ex. Increased landscaping, increased high quality materials on the façade, etc.).

The project will exceed the UDO requirements as follows:

The PZD will require 100% high-quality materials for all building facades for any Commercial Development and Row house or Zero Lot Line Development. The UDO only requires 51% high-quality materials on each façade for commercial development.

3k. Statement of how the development will relate to the existing and surrounding properties in terms of land use, traffic, appearance, and signage.

The PZD will include an area of approximately 16.42 acres located on the west side of Old Highway 71 with the northeast corner being at the intersection of Old Highway 71 and Rye Hill Road East. The surrounding land uses are a mixture of commercial and residentially developed properties as described in Section 3F in the PZD booklet. This proposal will yield to the surrounding development as mixed use residential. The subject development will provide multiple Character Areas as listed above providing single-family, row house/zero lot line, duplexes, commercial development within the respected Character Areas as shown on the Exhibit. The PZD booklet also accommodates a construction area reserved for a future Major Arterial Street.

ADJACENT PROPERTIES

The north and east boundaries of the proposed PZD development are primarily single-family residential, aligning with the adjacent residential properties and ensuring minimal impact on nearby areas. The designated commercial zone is largely concentrated toward the property's center, where it is appropriately positioned due to the future major arterial bisecting the site. This placement mirrors the commercial properties to the west and south, promoting compatibility and limiting disruption to surrounding areas.

Appearance

All PZD improvements will be constructed to meet or exceed UDO requirements which are set up to minimize adverse effects of the appearance of new developments on surrounding properties.

Signage

Character Area A will comply with Section 27-704-1(5) signage for subdivision developments.

Character Area B & C shall comply with Section 27-704-2 permitted signs in Transitional zones. If Character Areas B or C are developed as residential it must follow Character Area A signage regulations listed above.

3l. A traffic study when required by the Engineering Department (consult with staff prior to submittal).

The City Engineering Department has recently conducted traffic counts on Old Highway 71 and Rye Hill Road East which indicate that these streets are operating within their capacities and upgrades are not warranted at this time. Old Highway 71 is considered a Residential Collector Street. Traffic generated by the proposed development will most likely utilize a route to the north down Old Highway 71 to US Highway 71 which is a Boulevard. The traffic light at the intersection will minimize traffic backing up on Old Highway 71 which will avoid the potential for long periods of blocked exits from properties along Old Highway 71 in the vicinity of the intersection. Development of the PZD will increase traffic to a minor extent. This increase will not be sufficient to be considered adverse.

Additionally, all single-family development located within Character Area A shall not have driveway access located on Old Highway 71. Driveway access must be located on internal subdivision streets for the single-family development character area.

3m. Statement of availability of water and sewer (state size of lines)

- 1) A 14-inch transmission waterline runs along the eastern side of Old Highway 71. An 8-inch sewer line terminates at a manhole on the south side of Valley View Drive at a point being approximately 175 feet east of the centerline of Old Highway 71. An offsite sewer extension will be required. All water and sewer infrastructure shall comply with the City Subdivision Design and Improvement Standard Specifications for Public Works Construction and requirements specified by the Fort Smith Utility Department. A utility plan shall be provided for review and approval by the City Utility Engineering Department.

Appendix A

				Districts	RS-4	RS-5	RSD-4	C-1	PZD Character Area A	PZD Character Area B	PZD Character Area C
DP = Development Plan review by the PC and approval by the City Board											
P = Permitted Use, C = Conditional Use, A = Accessory Use											
<i>Size or density restrictions for any use may be noted in the district</i>											
Residence or Accommodation											
Private Household											
Structure	Single Family building										
	Accessory residential dwelling unit						P				
	Detached				P	P	P		P	P	P
	Duplex						P			P	
	Guest house				A	A	A		A	A	A
	Manufactured home										
	Mobile home park										
	Mobile home subdivision										
	Row house					P				P	P
	Zero lot line dwelling unit					P				P	P
	Multifamily development										
	Community residential facility										
	Group home, family				P	P	P				
Group home, neighborhood											
Homeless shelter											
Orphanage											
Transitional dwelling											
Housing for the Elderly											
Assisted living											
Retirement housing											
Hotels, Motels, or other Accommodations											
Bed and breakfast inn							C		C	C	
Dormitory, sorority, fraternity											
Hotel/motel											
Rooming or boarding house											
General Sales or Services											
Automobile Sales or Service											
Auto & vehicle impoundment or holding yard (no salvage)											
Auto and vehicle dealer											

Appendix A

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DP = Development Plan review by the PC and approval by the City Board													
P = Permitted Use, C = Conditional Use, A = Accessory Use													
		Auto and vehicle dealer (indoors)											
		Auto and vehicle towing (wrecker)											
		Auto auction											
		Auto body shop and paint (new parts)											
		Auto detailing service											
		Auto glass, muffler, and seatcover shop											
		Auto parts and accessories sales											
		Auto quick lube											
		Auto repair											
		Auto repair or assembly (salvage parts)											
		Boat or marine craft dealer											
		Car wash - full service											
		Car wash self-service											
		Gasoline service station											
		Motorcycle or ATV sales & service											
		Tire sales (Indoors)											
		Tire sales											
		Truck stop/travel plaza											
Heavy Consumer Goods Sales or Service													
		Agricultural equipment and supplies (sales & service)											
		Appliance repair - (Large)											
		Appliance repair (Small)											
		Bus, truck sales and service											
		Cellular phone and accessory sales										P	P
		Clothing and personal items (repair)										P	P
		Commercial, industrial machinery & equipment (sales & service)											
		Department store, warehouse club or superstore											
		Computer and software shop								P		P	P
		Electronics and appliances (new)										P	P
		Electronics and appliances (used)											
		Floor, paint, wall coverings, window treatments										P	P
		Furniture or home furnishings (new)										P	P

Appendix A

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DP = Development Plan review by the PC and approval by the City Board												
P = Permitted Use, C = Conditional Use, A = Accessory Use												
		Furniture or home furnishings (used)										
		Furniture repair and upholstery shop										
		Greenhouse (sales)										
		Hardware store									P	P
		Hardware store (neighborhood)									P	P
		Home improvement center										
		Lawn and garden supplies									P	P
		Locksmith							P		P	P
		Lumber yard and building materials										
		Mall										
		Manufactured home and mobile home sales and service										
		Oil and gas equipment (sales and service)										
		Sand, gravel, stone, or earth sales and storage										
		Shopping center									P	P
		Swimming pool sales and supply store (w/o storage yard)									P	P
		Truck or tractor sales and service facility										
Durable Consumer Goods Sales or Service												
		Bait and tackle shop										
		Bicycle sales and service							C			
		Bicycle sales and service (no outside storage)							P		P	P
		Bookstore							P		P	P
		Bridal shop							P		P	P
		Cameras, photographic supplies and services							P		P	P
		Clothing, jewelry, luggage, shoes, accessories							P		P	P
		Gift shop							P		P	P
		Sewing machine store (sales & service)									P	P
		Sporting goods, toys, & musical instruments									P	P
		Thrift store										
Consumer Goods, Other												
		Antique shop							P			
		Art dealers, art studio, galleries, supplies							C		P	P
		Arts and craft shop							P		P	P

Appendix A

					Districts	RS4	RS-5	RSD-4	C-1	PZD Character Area A	PZD Character Area B	PZD Character Area C
DP = Development Plan review by the PC and approval by the City Board												
P = Permitted Use, C = Conditional Use, A = Accessory Use												
		Flea market (indoor)										
		Flea market (outdoor)										
		Florist shop							P		P	P
		Hobby shop							P		P	P
		Office supply store										
		Pawnshop										
		Pawnshop (no outside storage)										
		Tobacco shop							P			
Grocery, Food, Beverage, Dairy												
		Bakery or confectionery shop							P		P	P
		Beer, wine and liquor store (with drive-through)										
		Beer, wine and liquor store (without drive-through)										
		Convenience store (with gasoline sales)										
		Farmer's market										
		Fruit and vegetable store							C		P	P
		Grocery store or supermarket							P			
		Neighborhood store										
Health and Personal Care												
		Cosmetics, beauty supplies, and perfume stores							P		P	P
		Medical appliance services										
		Optical shop							P		P	P
		Pharmacy or drug store							P			
Finance and Insurance												
		Auto insurance claims office										
		Automatic teller machine							P		P	P
		Bank, credit union, or savings institution							P		P	P
		Credit and finance establishment							P		P	P
		Fund, trust, or other financial establishment							P		P	P
		Insurance office							P		P	P
		Investment banking, securities, and brokerages							P		P	P
Rental and Leasing												
		Auto (rental and leasing)										

Appendix A

				Districts	RS-4	RS-5	RSD-4	C-1	PZD Character Area A	PZD Character Area B	PZD Character Area C
DP = Development Plan review by the PC and approval by the City Board											
P = Permitted Use, C = Conditional Use, A = Accessory Use											
		Commercial, industrial machinery & equipment									
		Consumer rental center									
		Oil and gas field equipment									
		Video, music, software								P	P
Business, Professional, Scientific, and Technical Services											
		Professional Services									
		Abstract services						P		P	P
		Accounting, tax, bookkeeping, payroll						P		P	P
		Advertising and media services						P		P	P
		Architectural, engineering						P		P	P
		Carpet and upholstery cleaning									
		Consulting services						P		P	P
		Extermination and pest control									
		Graphic, industrial, interior design						C		P	P
		Investigation and security services									
		Janitorial services									
		Legal services						P		P	P
		Medical laboratory									
		Medical laboratory (no animal research/testing)									
		Offices, corporate						P		P	P
		Offices, general						P		P	P
		Property management services (office only)						P		P	P
		Real estate agency								P	P
		Travel arrangement and reservation services								P	P
		Administrative Services									
		Business support services						P		P	P
		Collection agency						P			
		Employment agency									
		Employment agency (day labor)									
		Facilities support services						P		P	P
		Office and administrative services						P		P	P
		Telemarketer/call center									

Appendix A

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DP = Development Plan review by the PC and approval by the City Board													
P = Permitted Use, C = Conditional Use, A = Accessory Use													
Food Services													
					Bar or tavern								
					Beer garden								
					Catering service								
					Food distribution center								
					Microbrewery/microwinery/microdistillery								
					Mobile food services								
					Restaurant					C		P	P
					Restaurant (with drive-in services)								
					Restaurant (with drive-through services)								
					Restaurant (with outdoor dining)								
					Restaurant (with outdoor dining within 300 feet of property zoned or developed for residential purposes)								
					Specialty Manufacturing								
					Vending								
Personal Services													
					Bail bonds office								
					Barber shop/salon/spa/massage services					C		P	P
					Laundry (commercial/industrial)								
					Laundry and cleaning facilities (self-service)					P		P	P
					Laundry, cleaner								
					Laundry, cleaner (drop-off station)					P		P	P
					Photocopy shop					P		P	P
					Photography studio					P		P	P
					Print shop							P	P
					Shoe repair shop					P		P	P
					Tailor shop					P		P	P
					Tanning salons					C		P	P
					Tattoo/body piercing parlor								
					Weight loss centers								
Pet and animal services													
					Animal and pet services (indoor)								
					Animal and pet services (outdoor)								

Appendix A

						Districts	RS-4	RS-5	RSD-4	C-1	PZD Character Area A	PZD Character Area B	PZD Character Area C
DP = Development Plan review by the PC and approval by the City Board													
P = Permitted Use, C = Conditional Use, A = Accessory Use													
		Animal shelter											
		Equestrian facilities											
		Kennels											
		Pet cemetery											
		Pet shop										P	P
		Pet supply store										P	P
		Veterinary clinic (no outdoor kennels)										P	P
		Veterinary clinic (with outdoor kennels)											
Automobile Parking Facilities													
		Parking garage											
		Parking lot (commercial)											
		Parking lot (off site) (See Section 27-601-11)								C			
Manufacturing and Wholesale Trade													
Food, Textiles and Related Products													
		Animal food processing											
		Clothing manufacturing											
		Food and beverage processing											
		Leather and allied products											
		Textiles											
		Tobacco manufacturing											
Wood, Paper and Printing Products													
		Cabinet and woodwork shop											
		Furniture or home furnishings											
		Manufacturing, boxes/containers/corrugated											
		Manufacturing, packaging material											
		Paper and printing materials											
		Wood products manufacturing plant											
Chemicals, Metals, Machinery, and Electronics Mfg.													
		Acid manufacturing											
		Asphalt or concrete batching plant (permanent)											
		Chemicals, plastics and rubber industry											
		Electrical equipment, appliance and components mfg.											

Appendix A

				Districts	RS-4	RS-5	RSD-4	C-1	PZD Character Area A	PZD Character Area B	PZD Character Area C
DP = Development Plan review by the PC and approval by the City Board											
P = Permitted Use, C = Conditional Use, A = Accessory Use											
		Explosives manufacturing									
		Foundry or metal-works facility									
		Laboratory (manufacturing)									
		Machine, welding, or sheet metal shop									
		Nonmetallic manufacturing									
		Petroleum and coal products									
		Pharmaceutical manufacturing									
		Refinery									
		Tire retreading									
Miscellaneous Manufacturing											
		Auto manufacturing									
		Barge and ship manufacturing									
		Boat manufacturing									
		Dolls, toys, games, musical instruments									
		Jewelry and silverware									
		Manufacturing, batteries									
		Manufacturing, fiberglass									
		Manufacturing, foam products									
		Manufacturing, heavy									
		Manufacturing, light									
		Manufacturing, medium									
		Manufacturing, motors, drives, and generators									
		Office supplies									
Wholesale Trade Establishment											
		Durable goods									
		Electrical, plumbing, heat & air conditioning									
		Nondurable goods									
Warehouse and Storage Services											
		Auto salvage yard									
		Building materials salvage yard									
		Bulk petroleum storage									
		Container storage									

Appendix A

				Districts	RS-4	RS-5	RSD-4	C-1	PZD Character Area A	PZD Character Area B	PZD Character Area C
DP = Development Plan review by the PC and approval by the City Board											
P = Permitted Use, C = Conditional Use, A = Accessory Use											
		Mini storage warehouse (climatized) See section 27-707									
		Mini storage warehouse (non-climatized) See section 27-707									
		Packaging and distribution center									
		Petroleum distribution facility									
		Portable storage Unit									
		Vehicle storage yard									
		Warehouse									
Transportation, Communication, Information and Utilities											
		Transportation Services									
		Airport									
		Bus station and terminal									
		Courier and messenger services									
		Ferry boat facility									
		Heliport									
		Limousine service									
		Mail services					C			P	P
		Marina									
		Motor freight terminal									
		Moving and storage									
		Moving company									
		Pipeline transportation									
		Port facility									
		Rail transportation									
		Taxicab service									
		Communications and Information									
		Commercial communication towers			C	C	C	C			
		Data processing facility									
		Motion pictures and sound recording studios									
		Printing commercial/industrial									
		Telecommunications and broadcasting studios									
		Utilities and Utility Services									
		Amateur radio transmitting towers			C	C	C	C			

Appendix A

					Districts	RS4	RS-5	RSD-4	C-1	PZD Character Area A	PZD Character Area B	PZD Character Area C
DP = Development Plan review by the PC and approval by the City Board												
P = Permitted Use, C = Conditional Use, A = Accessory Use												
		Electric power plant										
		Hazardous waste treatment and disposal										
		Incinerator										
		Nuclear power plant										
		Radio, television, and microwave transmitting towers										
		Recycling center										
		Recycling collection station										
		Sanitary landfill										
		Solid waste collection										
		Utility shop, storage yard or building										
		Utility substation				C	C	C	C			
		Wastewater treatment plant										
Arts, Entertainment, and Recreation												
Performing Arts or Supporting Establishments												
		Drive-in theater										
		Movie theater										
		Performance theater										
		Carnival or circus (temporary with permit)										
		Fairground/rodeo ground										
Museums and Other Special Purpose Recreational Institutions												
		Historical or archaeological institution										
		Museum										
		Zoos, botanical gardens, arboreta										
Amusement, Sports, or Recreation Establishment												
		Amusement center (indoor)										
		Amusement center (outdoor)										
		Convention/Event center										
		Bingo parlor										
		Casino gaming business										
		Country club				C	C	C	C			
		Dance hall/night club										
		Private club										

Appendix A

				Districts	RS4	RS-5	RSD-4	C-1	PZD Character Area A	PZD Character Area B	PZD Character Area C
DP = Development Plan review by the PC and approval by the City Board											
P = Permitted Use, C = Conditional Use, A = Accessory Use											
		Criminal justice facility									
		Detention facility									
		Government office						P			
Public Safety											
		Emergency response station						P			
		Fire and rescue station			C	C	C	P			
		Police station						C			
		Police substation (no incarceration)			C	C	C	P			
Health and Human Services											
		Community health and welfare clinic									
		Diagnostic laboratory testing facility									
		Doctor office and clinic								P	P
		Hospice residential care facility									
		Hospital									
		Mental health hospital									
		Nursing home									
		Substance abuse treatment facility									
		Substance abuse treatment facility (outpatient only)									
Social Assistance, Welfare, and Charitable Services											
		Child and youth services (office)						P			
		Day care Home (12 or less)			C	C	C				
		Day care center									
		Shelter for abused persons									
		Community food services									
		Emergency and relief services									
		Family support services									
		Senior citizen center						C			
		Vocational rehabilitation									
Religious Institutions											
		Church, synagogue, temple, mosque			C	C	C	C		C	C
		Rectory, convent, monastery						A			
Note: educational/hospital facilities owned or run by											

Appendix A

					Districts	RS-4	RS-5	RSD-4	C-1	PZD Character Area A	PZD Character Area B	PZD Character Area C
DP = Development Plan review by the PC and approval by the City Board												
P = Permitted Use, C = Conditional Use, A = Accessory Use												
religious institutions are classified by use not ownership												
	Wedding chapel											
Death Care Services												
	Cemetery, mausoleum, crematorium, funeral home, & mortuary											
	Monument (manufacturing)											
	Monument (sales)											
Associations, Nonprofit Organizations												
	Lodge or fraternal organization											
Construction-Related Businesses												
	Contractor's office								P		P	P
	Contractor's shop and storage yard											
	Glass sales and service											
	Landscaping contractor											
	Sign contractor											
Mining and Extraction Establishments												
	Coal mining											
	Metallic mining											
	Non-metallic manufacturing and mining											
Agriculture, Forestry, Fishing, and Hunting												
	Grain storage and processing											
	Livestock yard, feed lot, holding pens, and auction facility											
	Commercial grower											
Tanning and Slaughtering of Animals or Fowl												
	Animal slaughter and processing											
Note: Section 4-5 of the Fort Smith Municipal Code prohibits												
the collection or keeping of hogs or swine within the												
Fort Smith city limits												
Forestry and Logging												
Fishing, Hunting and Trapping, Game Preserves												
	Taxidermy shop											

INTER-OFFICE MEMO

TO: Maggie Rice, Deputy City Administrator/Director of Development Services

FROM: Stan Snodgrass, P.E., Director of Engineering

DATE: February 7, 2025

SUBJECT: **Proposed Knox Landing Development
Projected Traffic Information Review**

The attached Projected Traffic Information was submitted by Brixey Engineering for the referenced development. I concur with the results of the submittal and agree that the additional traffic should have minimal impact to the traffic flow in this area.

Attachment

BRIXEY ENGINEERING & LAND SURVEYING, INC.

SUBJECT: Knox Landing - Projected Traffic Information – February 7, 2025

The proposed subject subdivision includes 40 single family lots and 30 duplex lots consisting of 100 dwelling units. The subdivision is expected to include 50,000 square feet of commercial buildings. Access to the subdivision will be provided via two streets connecting to Old Highway 71 South.

The projected additional traffic is based on data from the Institute of Transportation Engineers (ITE) Trip Generation Manual. The ITE Trip Generation Manual is a widely accepted resource based on years of study which provides the estimated traffic projections for various types of land use.

The estimated single family residential traffic is based on the land use category “Single Family Detached Housing”, ITE Land Use Code 210. For this land use classification, the projected daily traffic per dwelling unit is 9.57 trips. The projected A.M. Peak Hour Trips is 0.75 per dwelling unit and the projected P.M Peak Hour Trips is 1.01 per dwelling unit.

The estimated additional traffic, based on the 40 single-family dwelling units, is as follows:

Total Daily Trips – 383 vehicles (192 entering and 191 exiting)

A.M. Peak Hour Trips – 30 vehicles (8 entering and 22 exiting)

P.M. Peak Hour Trips – 40 vehicles (25 entering and 15 exiting)

The estimated duplex residential traffic is based on the land use category “Residential Condominium/Townhouse”, ITE Land Use Code 230. For this land use classification, the projected daily traffic per dwelling unit is 5.86 trips. The projected A.M. Peak Hour Trips is 0.44 per dwelling unit and the projected P.M Peak Hour Trips is 0.52 per dwelling unit.

The estimated additional traffic, based on the 30 duplex lots (60 dwelling units), is as follows:

Total Daily Trips – 349 vehicles (175 entering and 174 exiting)

A.M. Peak Hour Trips – 26 vehicles (4 entering and 22 exiting)

P.M. Peak Hour Trips – 31 vehicles (21 entering and 10 exiting)

The estimated commercial traffic is based on the land use category “Shopping Center”, ITE Land Use Code 820. For this land use classification, the projected daily traffic per 1000 sf is 42.94 trips. The projected A.M. Peak Hour Trips is 1.03 per 1000 sf and the projected P.M. Peak Hour Trips is 3.75 per 1000 sf.

The estimated additional traffic, based on the 50,000 sf of shopping center, is as follows:

Total Daily Trips – 2,147 vehicles (1074 entering and 1073 exiting)

A.M. Peak Hour Trips – 52 vehicles (32 entering and 20 exiting)

P.M. Peak Hour Trips – 188 vehicles (90 entering and 98 exiting)

The maximum projected peak hour traffic for the development is estimated to be 259 vehicles during the P.M. Peak Hour. Over the period of the peak hour, those 259 vehicles average approximately 4.3 additional vehicles every minute.

Traffic counts on Old Highway 71 between Valley View Drive and Rye Hill Road East were taken by the City on November 6-7, 2024. The ADT (total 24 hour traffic in both directions) was 1536 vehicles per day.

The total daily traffic on Old Highway 71 South is estimated to increase from 1536 vehicles per day to 4,415 vehicles per day. While the estimated total daily traffic is projected to approximately triple, this total projected daily traffic is adequate for the two lane street.

Impacts to the traffic flow as a result of the development are expected to be minimal.

Single-Family Detached Housing (210)

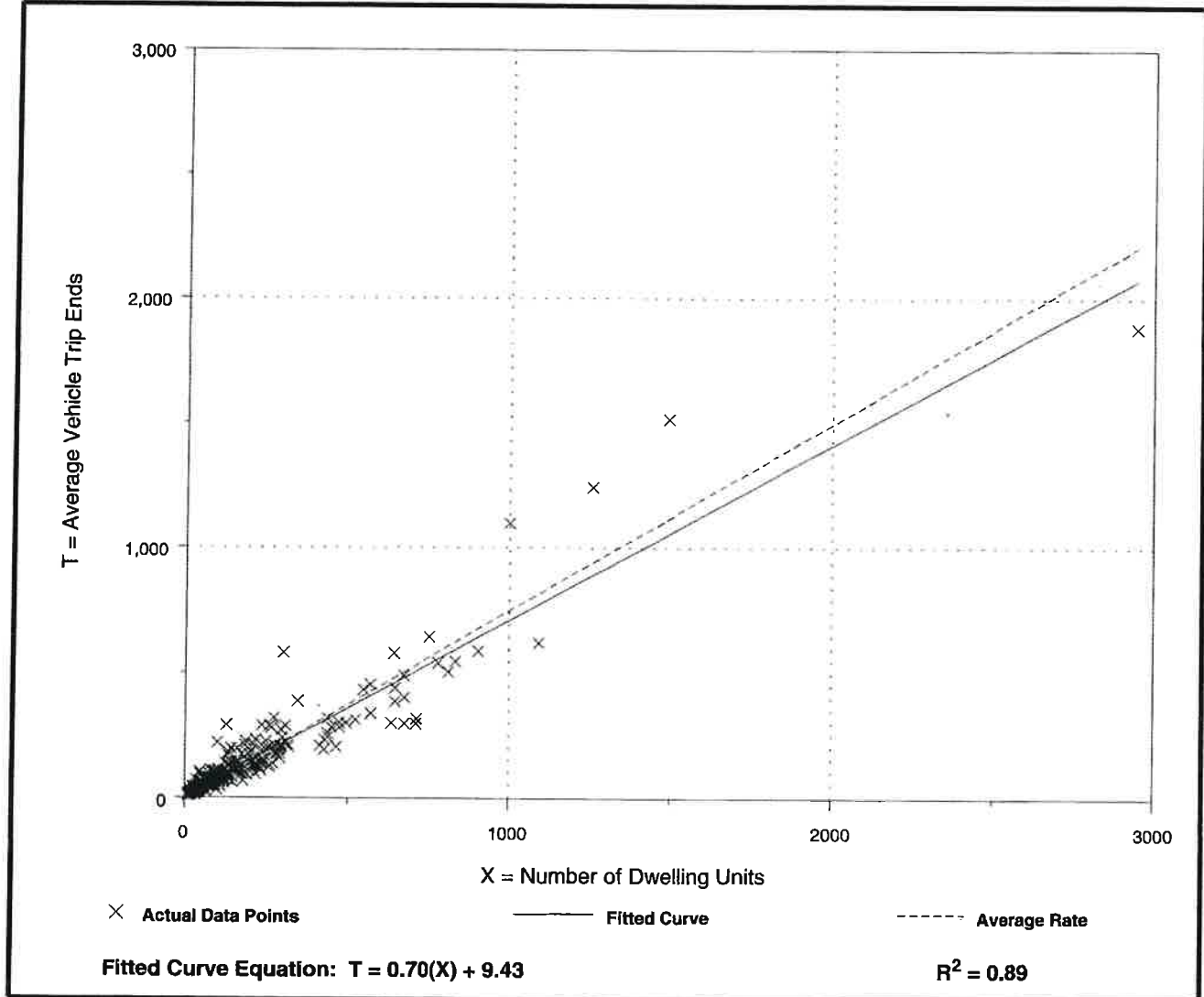
Average Vehicle Trip Ends vs: Dwelling Units
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 7 and 9 a.m.

Number of Studies: 274
 Avg. Number of Dwelling Units: 201
 Directional Distribution: 25% entering, 75% exiting

Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.75	0.33 - 2.27	0.90

Data Plot and Equation



Single-Family Detached Housing (210)

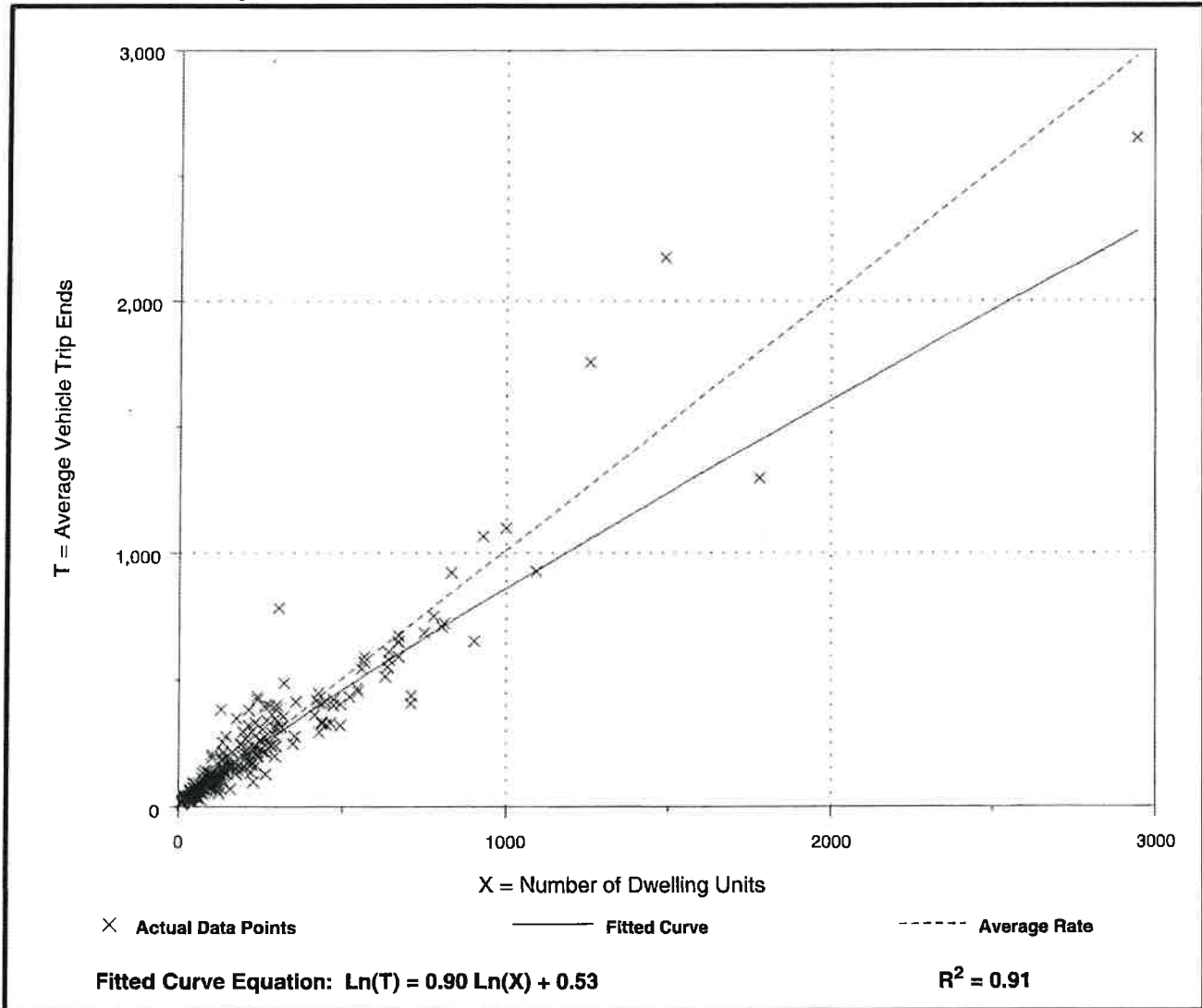
Average Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Number of Studies: 302
 Avg. Number of Dwelling Units: 214
 Directional Distribution: 63% entering, 37% exiting

Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
1.01	0.42 - 2.98	1.05

Data Plot and Equation



Residential Condominium/Townhouse (230)

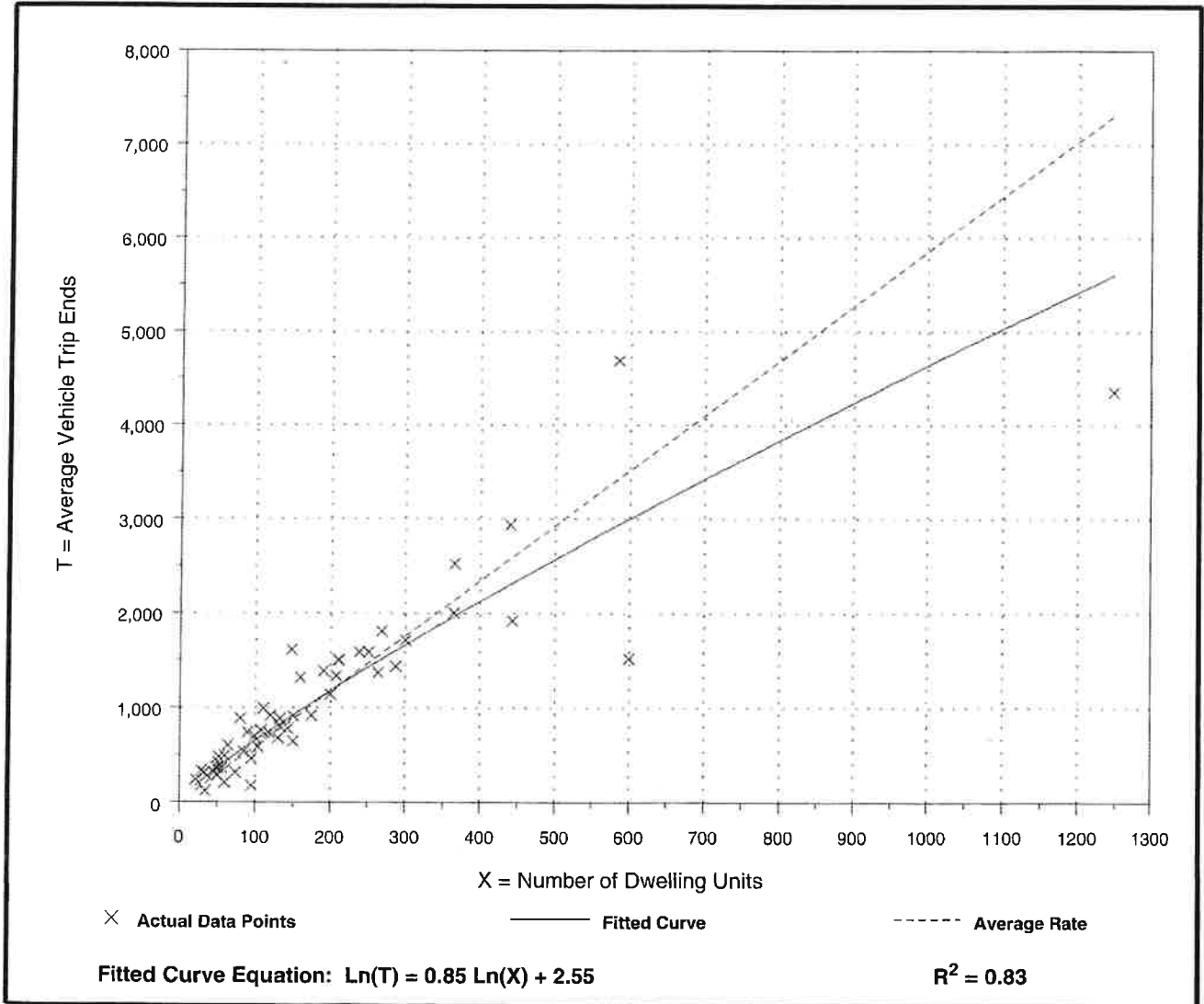
Average Vehicle Trip Ends vs: Dwelling Units
On a: **Weekday**

Number of Studies: 54
Avg. Number of Dwelling Units: 183
Directional Distribution: 50% entering, 50% exiting

Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
5.86	1.83 - 11.79	3.09

Data Plot and Equation



Residential Condominium/Townhouse (230)

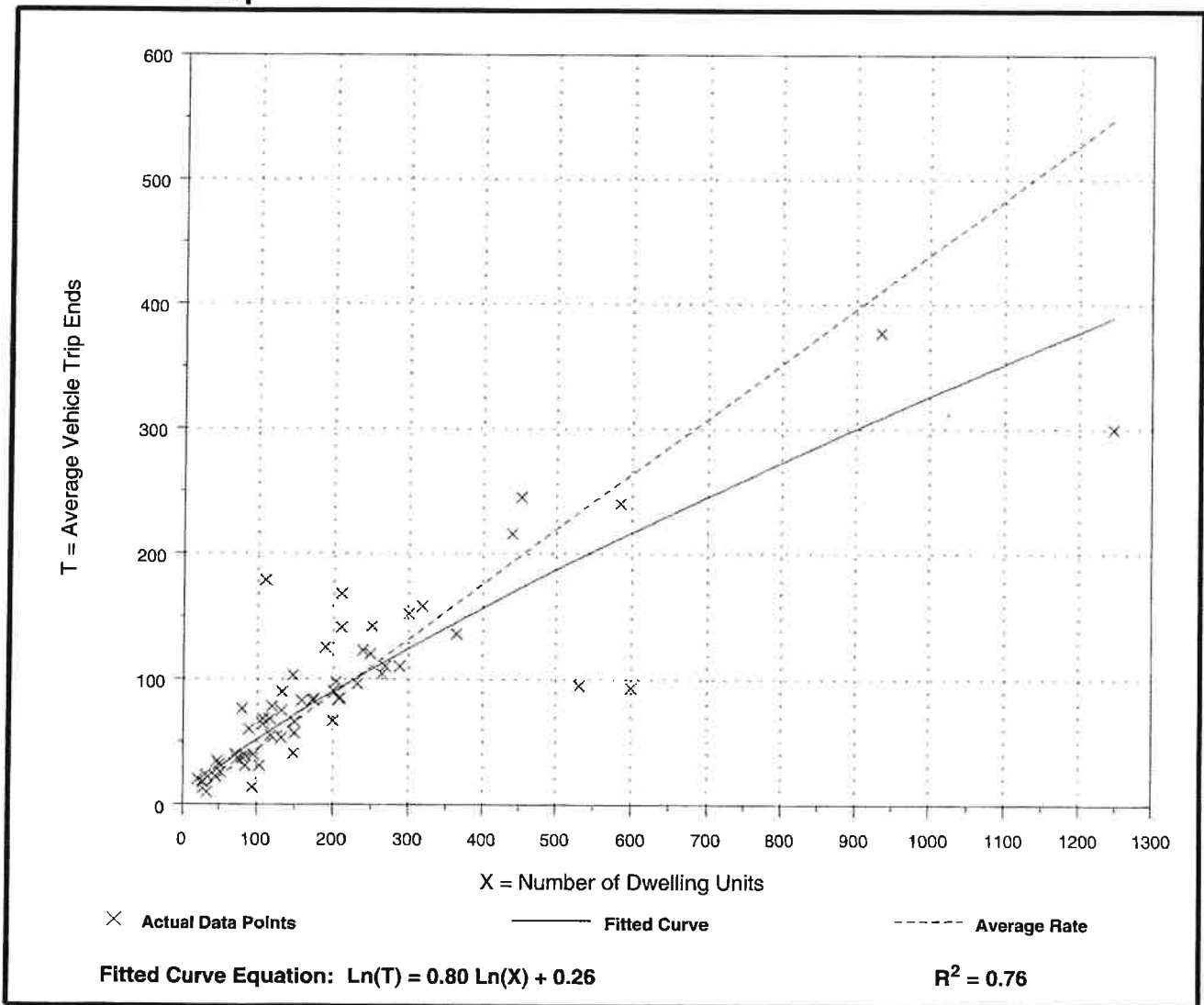
Average Vehicle Trip Ends vs: Dwelling Units
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 7 and 9 a.m.

Number of Studies: 59
 Avg. Number of Dwelling Units: 213
 Directional Distribution: 17% entering, 83% exiting

Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.44	0.15 - 1.61	0.69

Data Plot and Equation



Residential Condominium/Townhouse (230)

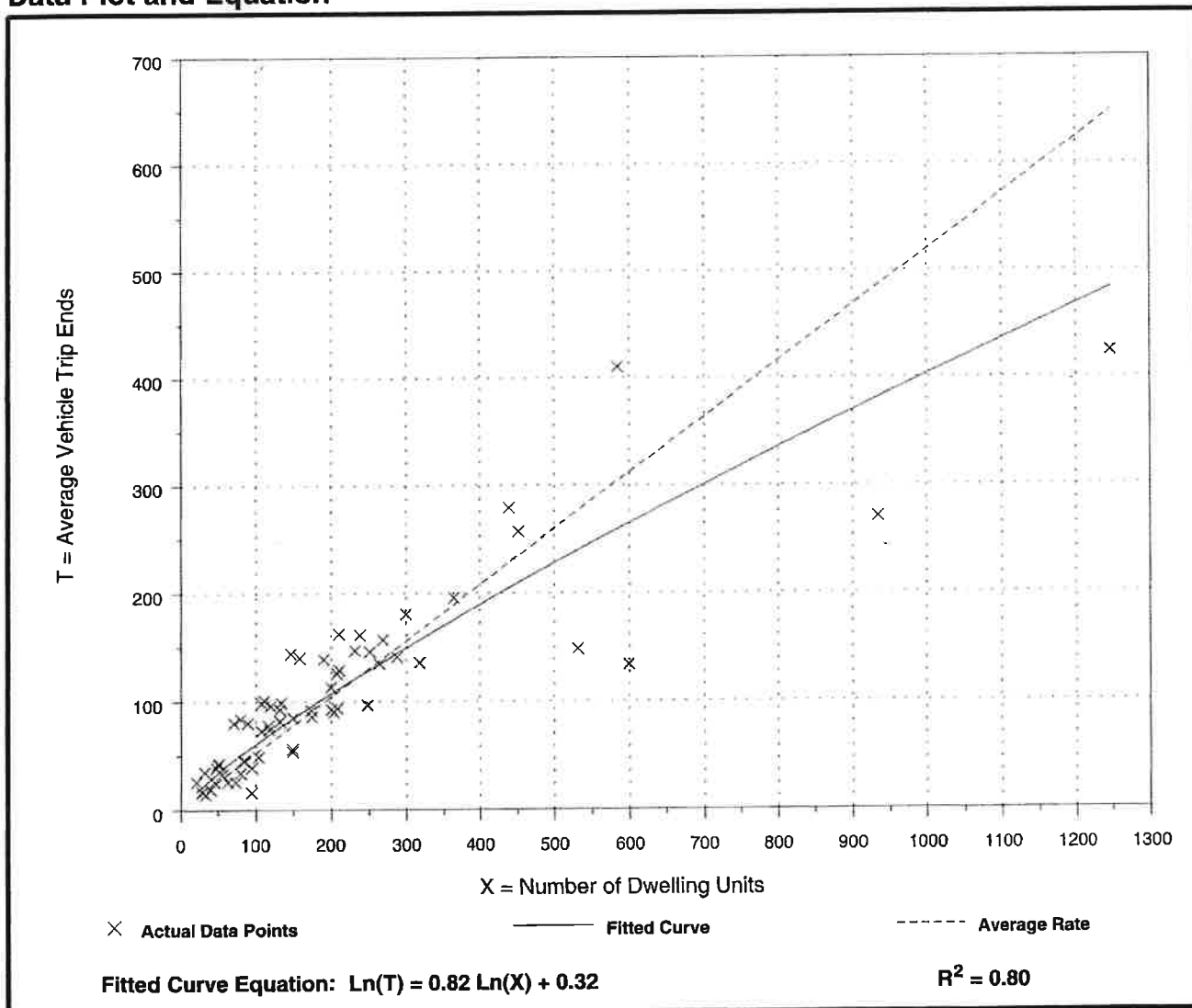
Average Vehicle Trip Ends vs: Dwelling Units
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 4 and 6 p.m.

Number of Studies: 62
 Avg. Number of Dwelling Units: 205
 Directional Distribution: 67% entering, 33% exiting

Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.52	0.18 - 1.24	0.75

Data Plot and Equation



Shopping Center (820)

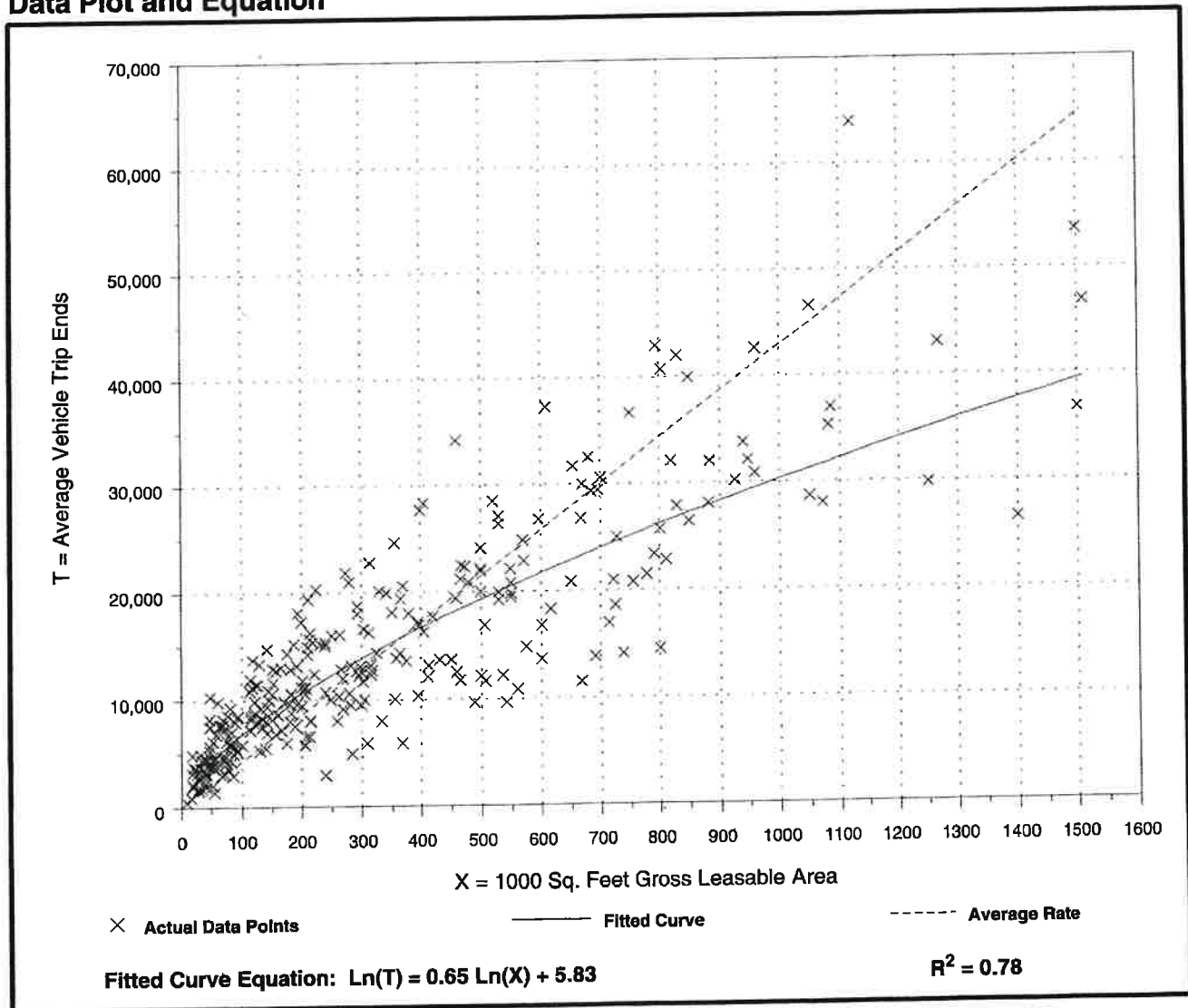
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Leasable Area
On a: **Weekday**

Number of Studies: 302
Average 1000 Sq. Feet GLA: 328
Directional Distribution: **50% entering, 50% exiting**

Trip Generation per 1000 Sq. Feet Gross Leasable Area

Average Rate	Range of Rates	Standard Deviation
42.94	12.50 - 270.89	21.38

Data Plot and Equation



Shopping Center (820)

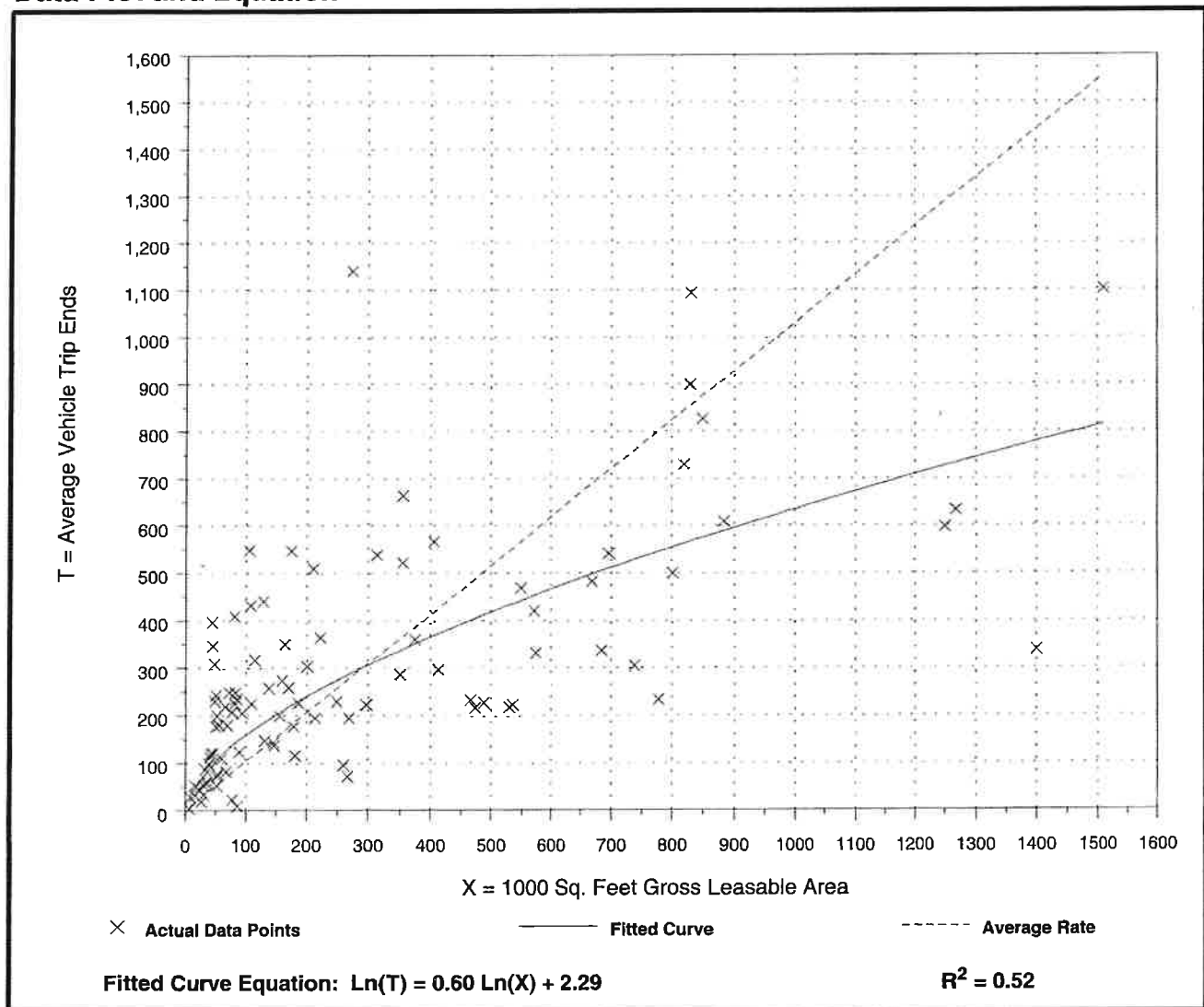
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Leasable Area
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Number of Studies: 98
 Average 1000 Sq. Feet GLA: 287
 Directional Distribution: 61% entering, 39% exiting

Trip Generation per 1000 Sq. Feet Gross Leasable Area

Average Rate	Range of Rates	Standard Deviation
1.03	0.10 - 9.05	1.40

Data Plot and Equation



Shopping Center (820)

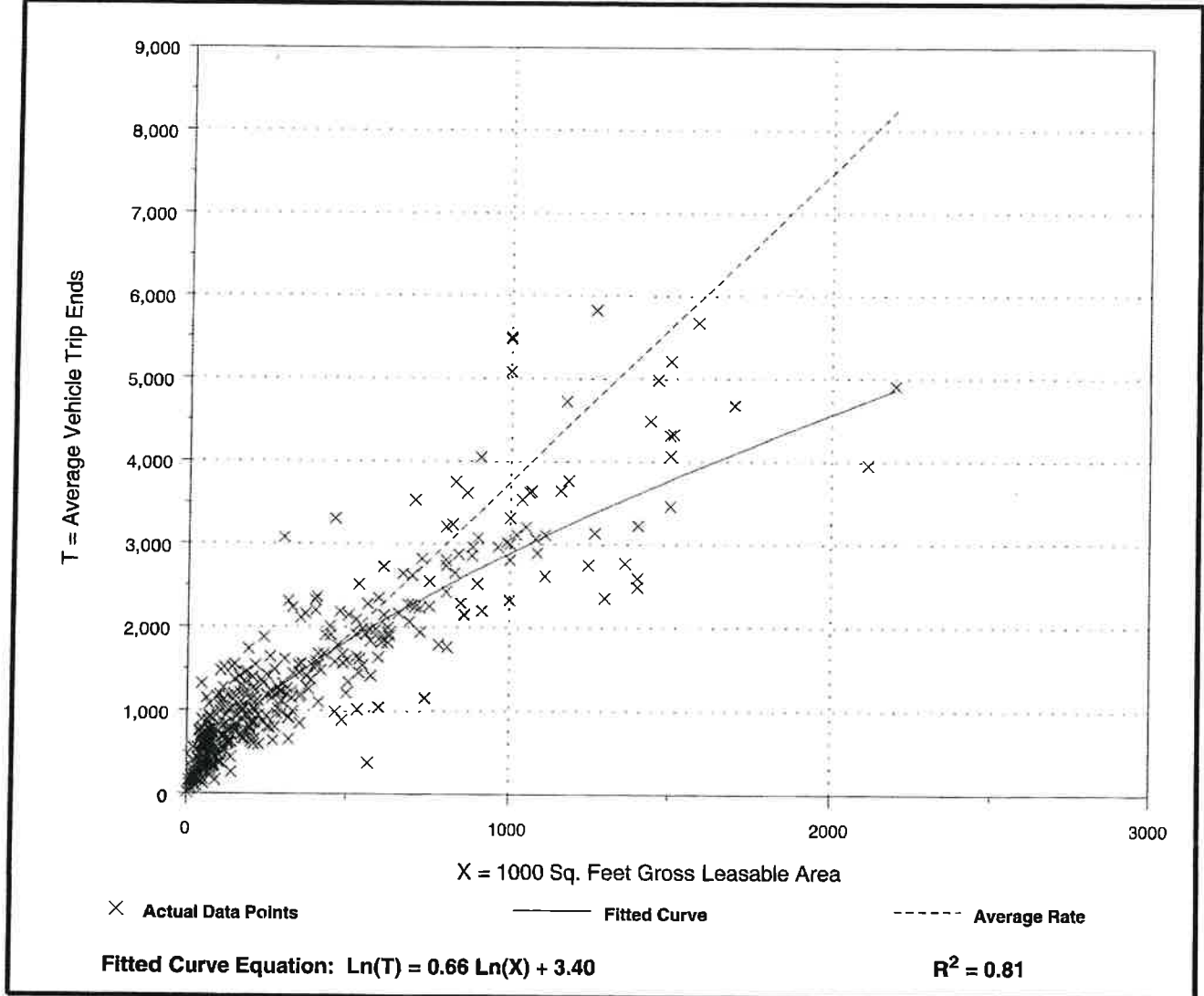
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Leasable Area
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Number of Studies: 407
 Average 1000 Sq. Feet GLA: 379
 Directional Distribution: 48% entering, 52% exiting

Trip Generation per 1000 Sq. Feet Gross Leasable Area

Average Rate	Range of Rates	Standard Deviation
3.75	0.68 - 29.27	2.75

Data Plot and Equation



Single-Family Detached Housing (210)

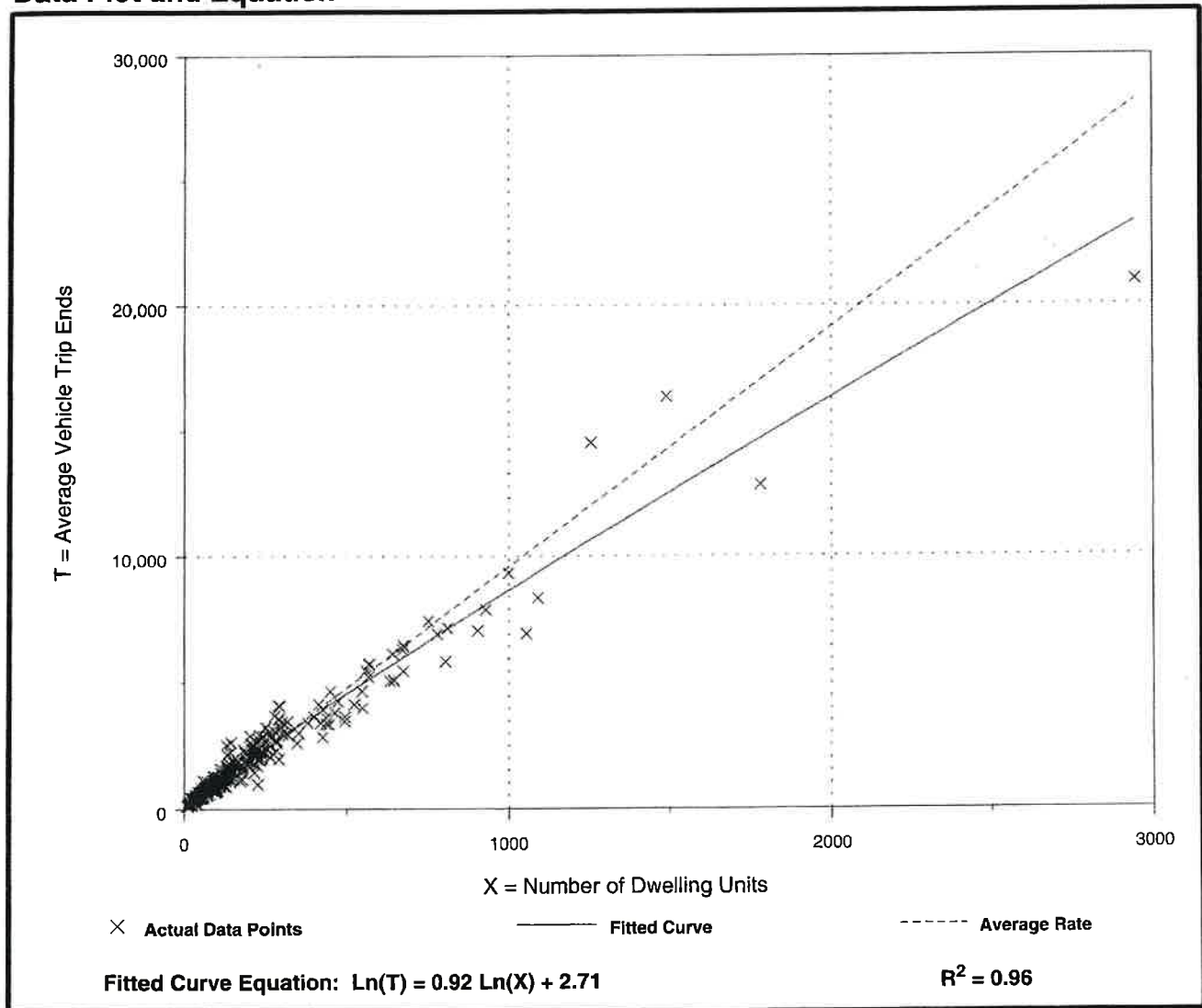
Average Vehicle Trip Ends vs: Dwelling Units
On a: Weekday

Number of Studies: 350
Avg. Number of Dwelling Units: 197
Directional Distribution: 50% entering, 50% exiting

Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
9.57	4.31 - 21.85	3.69

Data Plot and Equation



Basic Volume Report: NB Old Hwy 71

Station ID : NB Old Hwy 71

Info Line 1 :

Info Line 2 :

GPS Lat/Lon :

DB File : NB Old Hwy 71.DB

Last Connected Device Type : Omega-G

Version Number : 2.07

Serial Number : G45410

Number of Lanes : 1

Posted Speed Limit : 0.0 mph

Lane #1 Configuration

#	Dir. Information	Volume Mode	Volume Sensors	Divide By 2	Comment
1.	North	Normal	Axle	Yes	

Lane #1 Basic Volume Data From: 12:00 - 11/06/2024 To: 11:59 - 11/07/2024

Date	Time	:00	:15	:30	:45	Total
11/06/24	12:00	12	7	12	19	50
Wed	13:00	10	12	8	10	40
	14:00	13	5	18	13	49
	15:00	10	20	17	5	52
	16:00	16	17	19	25	77
	17:00	19	13	27	13	72
	18:00	13	8	3	3	27
	19:00	6	4	9	11	30
	20:00	6	2	6	2	16
	21:00	2	4	4	1	11
	22:00	1	2	0	1	4
	23:00	2	2	0	1	5

Day Total : 433

AM Total :	Peak AM Hour :	Peak AM Factor :	Average Period :	9.0
PM Total :	433 (100.0%)	Peak PM Hour : 16:45 =	84 (19.4%)	Peak PM Factor : 0.778
			Average Hour :	36.1

Date	Time	:00	:15	:30	:45	Total
11/07/24	00:00	0	0	0	0	0
Thu	01:00	0	0	0	0	0
	02:00	0	0	0	0	0
	03:00	0	0	1	0	1
	04:00	1	0	2	2	5
	05:00	0	3	3	5	11
	06:00	8	5	14	15	42
	07:00	21	25	28	16	90
	08:00	20	14	18	20	72
	09:00	6	18	16	18	58
	10:00	7	4	11	10	32
	11:00	13	21	11	18	63
Day Total :						374

AM Total :	374 (100.0%)	Peak AM Hour : 07:00 =	90 (24.1%)	Peak AM Factor : 0.804	Average Period :	7.8
PM Total :		Peak PM Hour :		Peak PM Factor :	Average Hour :	31.2

Basic Volume Summary: NB Old Hwy 71

Grand Total For Data From: 12:00 - 11/06/2024 To: 11:59 - 11/07/2024

Lane	Total Count	# Of Days	ADT	Avg. Period	Avg. Hour	AM Total & Percent	PM Total & Percent
#1.	807 (100.0%)	1.00	807	8.4	33.6	374 (46.3%)	433 (53.7%)
ALL	807	1.00	807	8.4	33.6	374 (46.3%)	433 (53.7%)

Lane	Peak AM Hour	Date	Peak AM Factor	Peak PM Hour	Date	Peak PM Factor
#1.	07:00 = 90	11/07/2024	0.804	16:45 = 84	11/06/2024	0.778

Basic Volume Report: SB Old Hwy 71

Station ID : SB Old Hwy 71

Info Line 1 :

Info Line 2 :

GPS Lat/Lon :

DB File : SB Old Hwy 71.DB

Last Connected Device Type : Omega-G

Version Number : 2.07

Serial Number : G45414

Number of Lanes : 1

Posted Speed Limit : 0.0 mph

Lane #1 Configuration

#	Dir. Information	Volume Mode	Volume Sensors	Divide By 2	Comment
1.	South	Normal	Axle	Yes	

Lane #1 Basic Volume Data From: 12:00 - 11/06/2024 To: 11:59 - 11/07/2024

Date	Time	:00	:15	:30	:45	Total
11/06/24	12:00	15	12	8	18	53
Wed	13:00	6	10	13	12	41
	14:00	15	3	10	14	42
	15:00	8	10	17	24	59
	16:00	17	17	19	26	79
	17:00	26	22	23	26	97
	18:00	11	9	13	8	41
	19:00	7	9	11	6	33
	20:00	9	8	7	8	32
	21:00	6	1	2	3	12
	22:00	5	2	0	2	9
	23:00	2	0	0	0	2

Day Total : 500

AM Total :		Peak AM Hour :		Peak AM Factor :	Average Period :	10.4
PM Total :	500 (100.0%)	Peak PM Hour : 16:45 =	97 (19.4%)	Peak PM Factor : 0.933	Average Hour :	41.7

Date	Time	:00	:15	:30	:45	Total
11/07/24	00:00	1	2	0	1	4
Thu	01:00	0	0	0	1	1
	02:00	1	0	0	0	1
	03:00	0	0	0	0	0
	04:00	0	0	0	1	1
	05:00	1	0	1	1	3
	06:00	1	2	2	6	11
	07:00	4	10	8	19	41
	08:00	8	12	10	7	37
	09:00	9	11	9	11	40
	10:00	5	5	12	8	30
	11:00	13	19	13	15	60
Day Total :						229

AM Total :	229 (100.0%)	Peak AM Hour : 11:00 =	60 (26.2%)	Peak AM Factor : 0.789	Average Period :	4.8
PM Total :		Peak PM Hour :		Peak PM Factor :	Average Hour :	19.1

Basic Volume Summary: SB Old Hwy 71

Grand Total For Data From: 12:00 - 11/06/2024 To: 11:59 - 11/07/2024

Lane	Total Count	# Of Days	ADT	Avg. Period	Avg. Hour	AM Total & Percent	PM Total & Percent
#1.	729 (100.0%)	1.00	729	7.6	30.4	229 (31.4%)	500 (68.6%)
ALL	729	1.00	729	7.6	30.4	229 (31.4%)	500 (68.6%)

Lane	Peak AM Hour	Date	Peak AM Factor	Peak PM Hour	Date	Peak PM Factor
#1.	11:00 = 60	11/07/2024	0.789	16:45 = 97	11/06/2024	0.933

From: [Miller, Perry](#)
To: [Planning Email Group](#)
Subject: 11100 Old Hwy 71 PZD
Date: Wednesday, January 29, 2025 11:08:00 AM
Attachments: [image001.png](#)

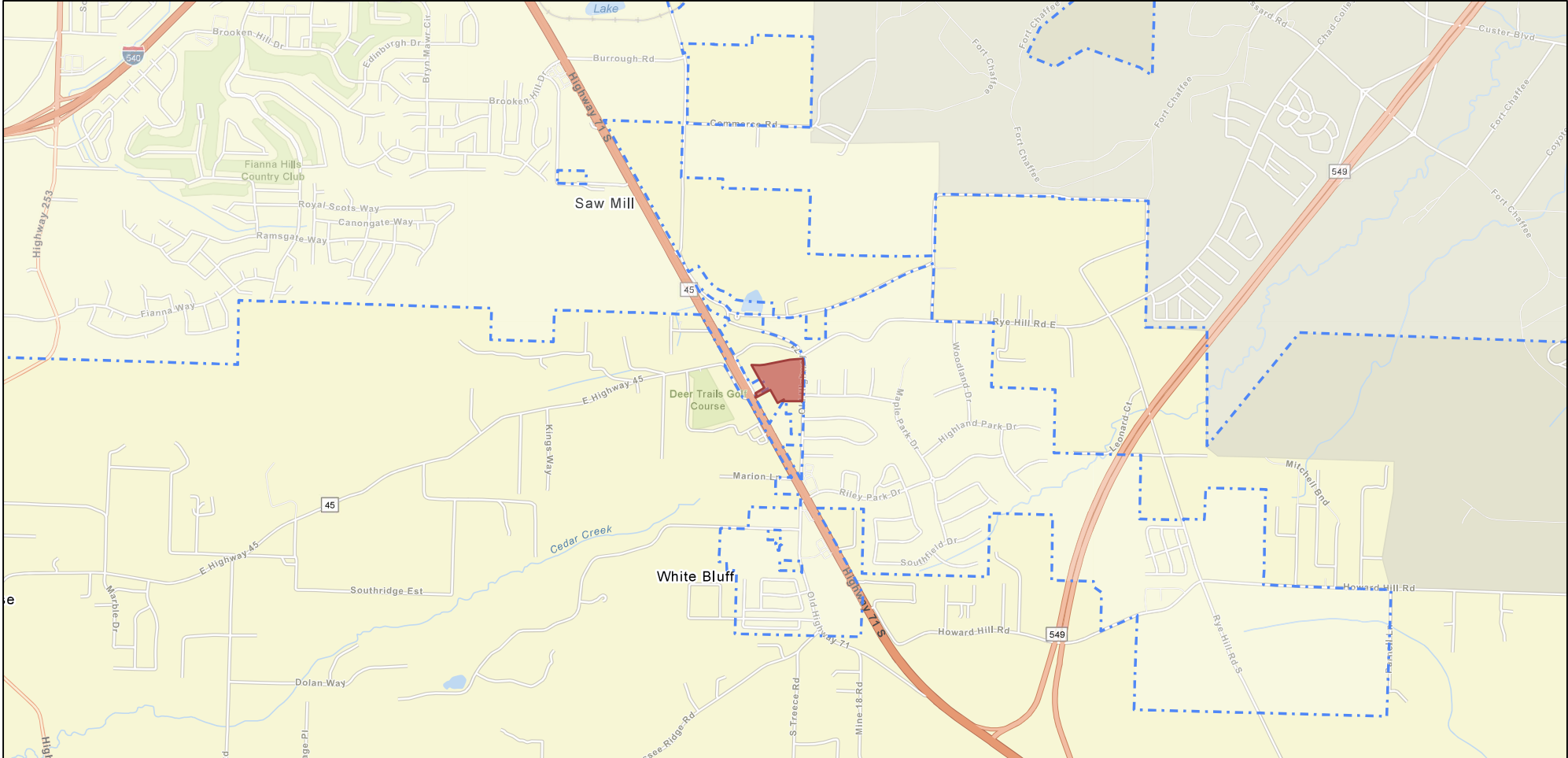
Shane Medford at 5200 Rye Hill Road (Farmers Insurance Office) phone 353-1818 called in opposition to the PZD request. I explained the PZD and proposed changes from the previous request. He stated he is opposed to everything within this request. He would only support a single-family subdivision. I will add a copy to the files.



Tyler Miller
Deputy Director, Planning
623 Garrison Avenue, Room 331
Phone: (479)784-2241
Email: pmiller@fortsmithar.gov
Web: www.fortsmithar.gov

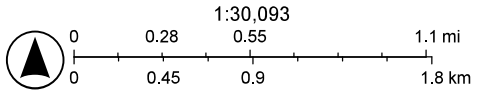


Rezoning #7-2-25 – for a zone change from Extraterritorial Jurisdiction Open-1 (ETJ O-1) to a Planned Zoning District (PZD) at 11100 Old Highway 71



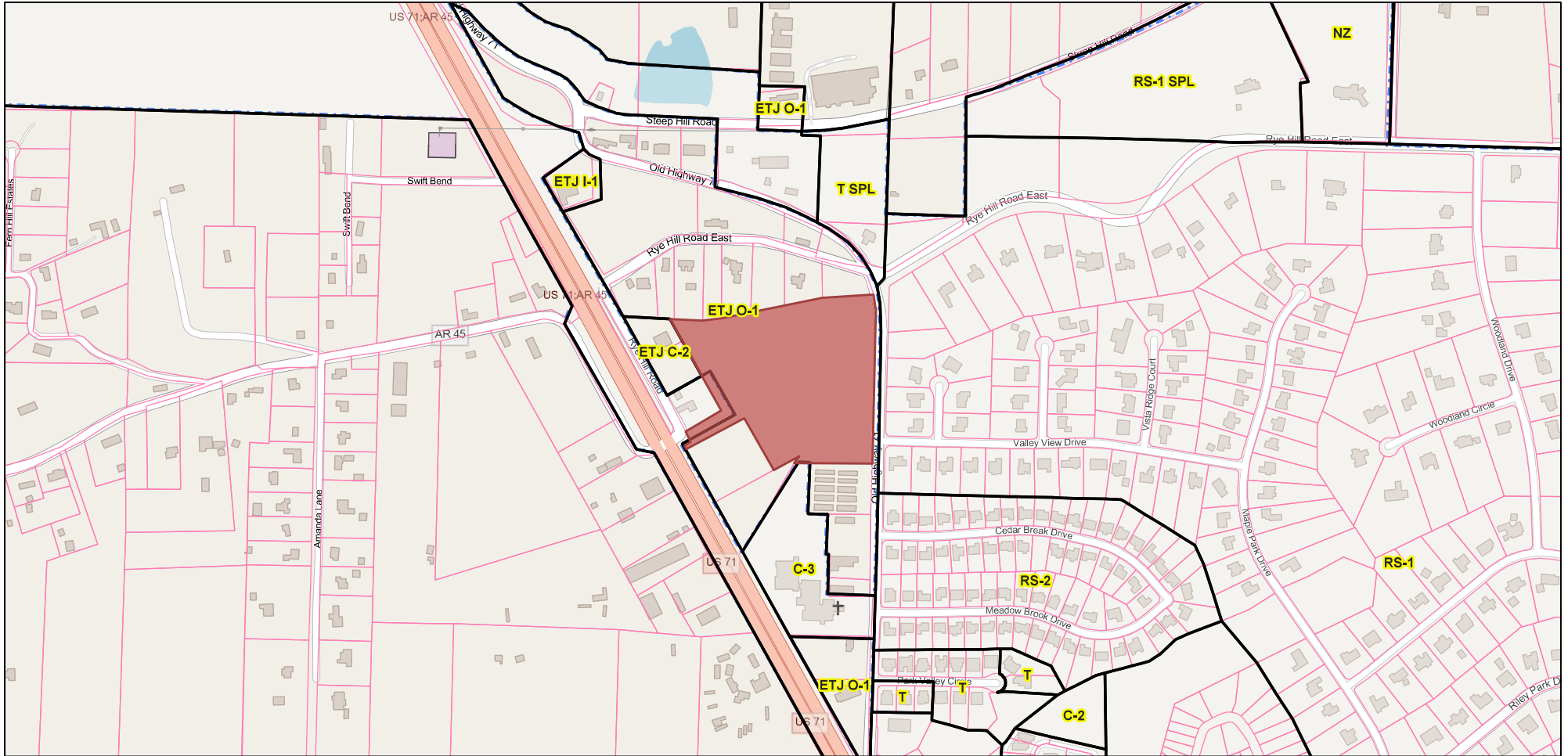
1/29/2025, 8:31:53 AM

Fort Smith City Limits



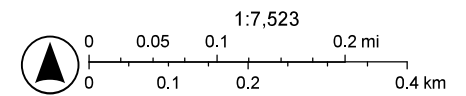
Arkansas GIS Office, Texas Parks & Wildlife, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Rezoning #7-2-25 – for a zone change from Extraterritorial Jurisdiction Open-1 (ETJ O-1) to a Planned Zoning District (PZD) at 11100 Old Highway 71.



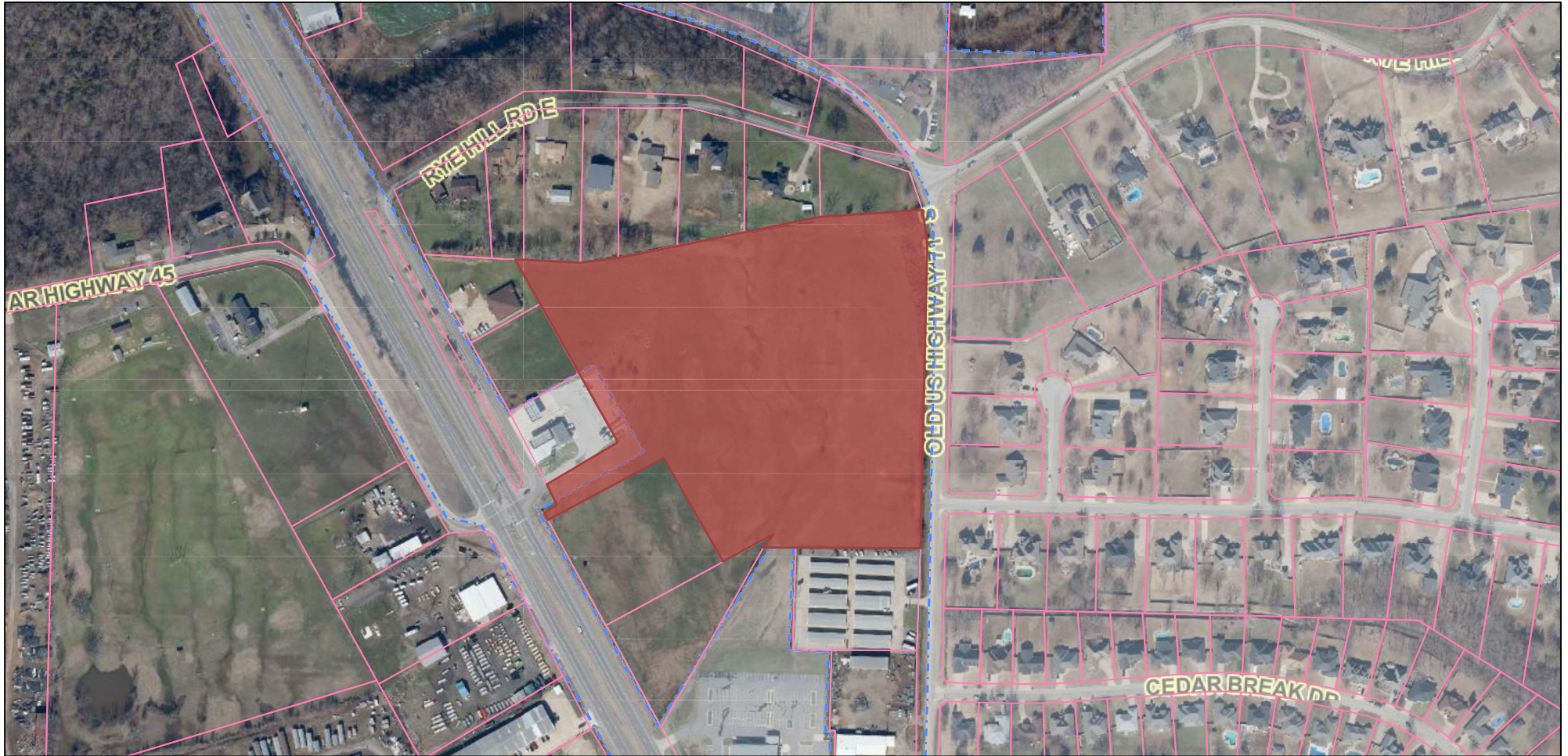
1/29/2025, 8:26:04 AM

- Zoning
- Parcels
- Fort Smith City Limits



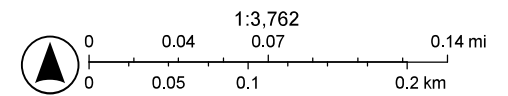
Map data © OpenStreetMap contributors, Microsoft, Facebook, Inc. and its affiliates, Esri Community Maps contributors, Map layer by Esri

Rezoning #7-2-25 – for a zone change from Extraterritorial Jurisdiction Open-1 (ETJ O-1) to a Planned Zoning District (PZD) at 11100 Old Highway 71



1/29/2025, 8:29:08 AM

- Parcels
- Road Labels
- Fort Smith City Limits



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Item 6



MEMORANDUM

TO: Jeff Dingman, Acting City Administrator
FROM: Maggie Rice, Deputy City Administrator
DATE: February 13, 2025
SUBJECT: Carrington Creek Holdings, LLC Annexation

SUMMARY

Carrington Creek Holdings, LLC has requested the City of Fort Smith consider annexation of property located between Old Highway 71 and U.S. Highway 71 (see enclosed maps). The proposed annexation is 16.42 acres.

In accordance with Arkansas law, a Petition for Annexation was filed at the County Court of Sebastian County, Greenwood District. The petition was reviewed by the County Clerk and County Assessor. The County Judge issued County Court Order No. 2024-0156 recommending the petition be forwarded to the City of Fort Smith for consideration. Enclosed is a copy of the Petition for Annexation, verification of petition for annexation from the County Clerk and County Assessor, and the County Court Order authorizing the annexation.

The next step in the annexation process is for the Board to consider the annexation request. City staff has reviewed the proposed annexation and recommend the annexation contingent upon approval of a pre-annexation agreement, acquisition of the future major arterial bisecting the property, as well as approval of the companion Master Land Use Plan amendment and zoning request.

Prepared for the Board's consideration is the resolution approving the pre-annexation agreement, the resolution acquiring the right-of-way, and the ordinance annexing the property into the City of Fort Smith.

Please let me know if you have any questions concerning this item.

RESOLUTION NO. _____

**A RESOLUTION APPROVING A PRE-ANNEXATION AGREEMENT
AND AGREEMENT TO ACQUIRE STREET RIGHT-OF-WAY
WITH CARRINGTON CREEK HOLDINGS, LLC**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The attached Pre-Annexation Agreement and Agreement to Acquire Street Right-of-Way (“Agreement”) with Carrington Creek Holdings, LLC is hereby approved.

SECTION 2: The Mayor, his signature being attested by the City Clerk, is hereby authorized to execute the Agreement approved by Section 1.

THIS RESOLUTION ADOPTED THIS _____ DAY OF MARCH, 2025.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to form:



City Attorney

**PRE-ANNEXATION AGREEMENT AND
AGREEMENT TO ACQUIRE STREET RIGHT-OF-WAY**

This Pre-Annexation Agreement and Agreement to Acquire Street Right-of-Way (“Agreement”) made and entered into this ____ day of _____, 2025, by and between Carrington Creek Holdings, LLC, (“Carrington”) and the City of Fort Smith, Arkansas (the “City”).

In exchange of the mutual covenants set forth herein, which the parties acknowledge to be good and sufficient consideration for the commitments made by this Agreement, the Parties agree as follows:

1. Identification of Real Property. The real property to which this Pre-Annexation Agreement applies is referred to herein as the “Subject Property”. The Subject Property is depicted on the map attached as Exhibit “A” and is identified as the property proposed for annexation. The legal description of the Subject Property is attached as Exhibit “B”.

2. Proposed Annexation. Carrington proposes the annexation of the Subject Property as indicated herein. On October 15, 2024, Carrington submitted a petition to the County Court for Sebastian County, Arkansas, Greenwood District for the annexation of the Subject Property. On October 16, 2024, the County Court for Sebastian County, Arkansas approved Carrington’s petition and ordered the annexation of the Subject Property. On October 23, 2024, Carrington submitted a petition to the governing body of the City to accept the annexation of the Subject Property. Carrington agrees to perform the hereinafter described activities regarding the Subject Property in the event that the City accepts the annexation of the Subject Property to the City of Fort Smith.

3. Street Right-of-Way for Rye Hill Road Extension and Items Related Thereto.

(a) The Master Street Plan indicates a future major arterial that bisects the Subject Property; said arterial is depicted as “AREA D” on Exhibit A attached hereto and may be referred to as the “Street Right-of-Way for Rye Hill Road Extension.” The legal description for the Street Right-of-Way for the Rye Hill Road Extension is set forth on Exhibit “C” attached hereto.

(b) Carrington agrees to sell to the City and the City agrees to acquire from Carrington the area consisting of a 100’ right of way (the “Street Right of Way”), exclusive of the 10’ Landscape Buffer, as hereafter defined, for the Street Right-of-Way for Rye Hill Road Extension as depicted on Exhibit “A” and described on Exhibit “C”. The City agrees to pay Carrington \$48,750.00 as just compensation for the acquisition of the Street Right-of-Way for Rye Hill Road Extension. Carrington agrees to convey to the City the Street Right-of-Way for Rye Hill Road Extension by general warranty deed in the form attached hereto as Exhibit “D”.

(c) The City acknowledges that Carrington has no obligation for the construction of the Street Right-of-Way for Rye Hill Road Extension. The City will be responsible for the construction and maintenance (including mowing) of the Street Right-of-Way for Rye Hill Road

Extension. The City agrees that Carrington may install utilities and temporary street crossings across the Street Right-of-Way for Rye Hill Road Extension. For the final Street Right-of-Way for Rye Hill Road Extension construction there will not be an island or other median that will prohibit left turns from streets in the planned development of the Subject Property or left turns from the Street Right-of-Way for Rye Hill Road Extension into the planned development of the Subject Property. The construction of improvements shall include street curb cuts from Rye Hill Road into streets for the planned development in Carrington's approved development plan.

(d) Carrington agrees to commit an area ten feet (10') wide on both sides of the Street Right-of-Way for Rye Hill Road Extension ("Landscape Buffer"). The Landscape Buffer will be committed by plat at the time Carrington plats the Subject Property. The City agrees to install, at its sole cost, all landscaping and irrigation within the Landscape Buffer at the time the construction of the road improvements within the Street Right-of-Way for Rye Hill Road Extension. After installation, Carrington, or its successors or assigns, shall be responsible, at its sole cost, for maintenance of the landscaping and irrigation within the Landscape Buffer.

(e) When required by the zoning ordinance applicable to the Subject Property, Carrington agrees to install and maintain, at its sole cost, a six feet (6') tall fence around the perimeter of the Street Right-of-Way for Rye Hill Road Extension in conformance with the zoning ordinance applicable to the Subject Property.

4. This Agreement sets forth the full understanding of the parties. All negotiations are merged herein, and no amendment or alteration of any provision of this Agreement shall be effective unless set forth in writing and executed by the parties.

5. This Agreement is contingent upon the City of Fort Smith, Arkansas, Board of Directors approving the Carrington zoning and planned zoning district application as approved by the City of Fort Smith Planning Commission on February 11, 2025.

[remainder of page intentionally left blank; signature page follows]

Executed as of the date first stated above by representatives of the parties who, by their execution of the Agreement, acknowledge that they have the authority to bind the party on whose behalf they execute the Agreement.

CARRINGTON CREEK HOLDINGS, LLC

By: _____
Name/Title

Attest: _____
Name/Title

CITY OF FORT SMITH, ARKANSAS

By: _____
George McGill, Mayor

Attest: _____
Sherri Gard, City Clerk

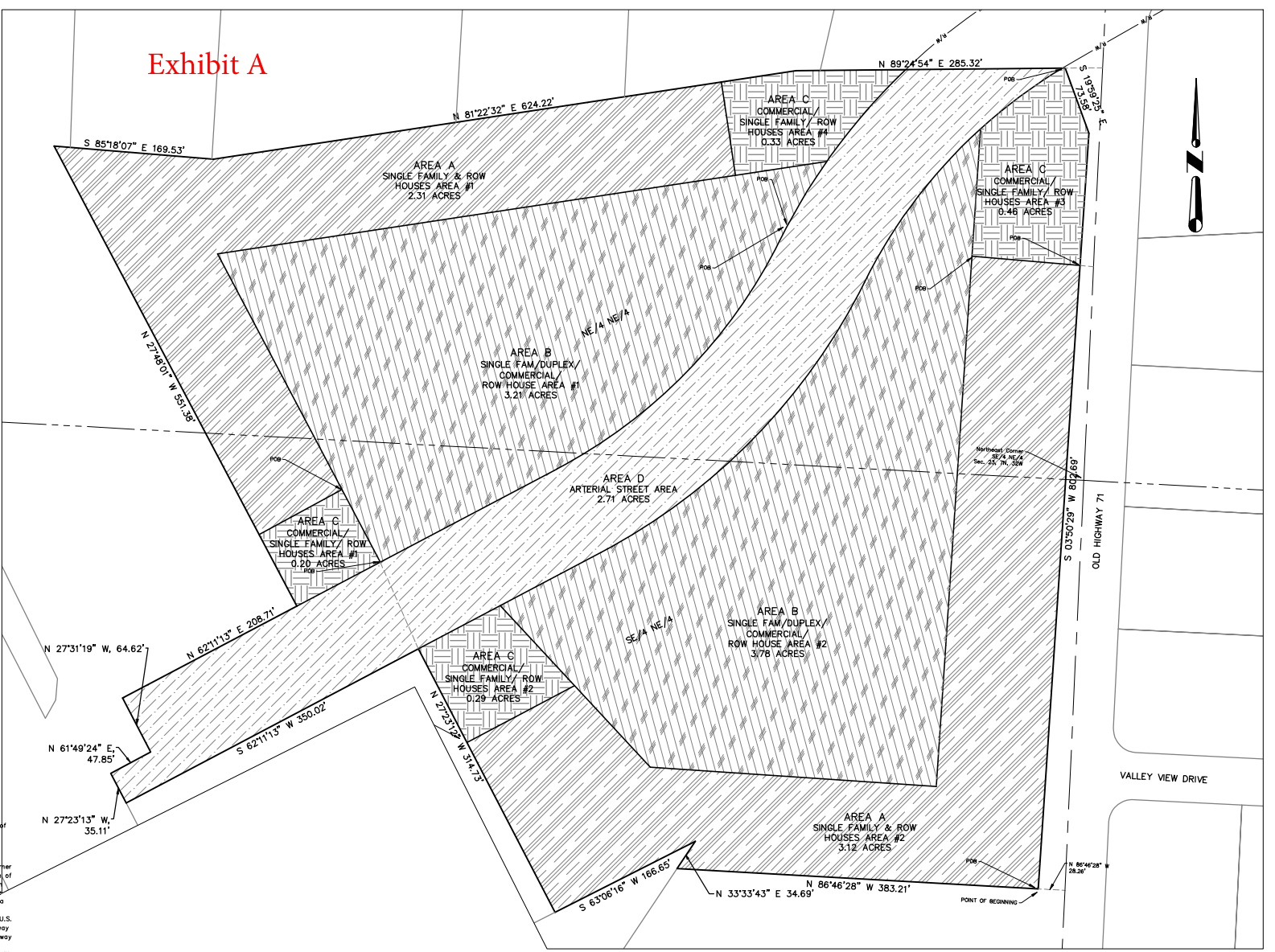


VICINITY MAP
NTS

Exhibit A

LEGEND

PROPERTY LINE	—————
CHARACTER BDRY. LINE	—————
ADJACENT PROPERTY LINE	—————
AREA A SINGLE FAMILY & ROW HOUSES AREA	
AREA B SINGLE FAM/DUPLEX/ ROW HOUSE/COMMERCIAL AREA	
AREA C COMMERCIAL/ SINGLE FAMILY ROW HOUSES AREA	
AREA D ARTERIAL STREET AREA	

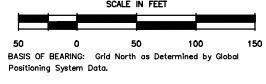


SURVEY DESCRIPTION:
Part of the Southeast Quarter (SE/4) of the Northeast Quarter (NE/4) and part of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of Section 23, Township 7 North, Range 32 West, Sebastian County, Arkansas being more particularly described as follows:

Commencing at an existing P/K nail in Old Highway 71 marking the Southeast corner of said SE/4 of the NE/4; thence N 02°37'22" W, 916.39 feet along the East line of said SE/4 of the NE/4; thence N 89°24'54" W, 27.58 feet to an existing rebar on the West right of way line of Old Highway 71 being the Point of Beginning; thence N 86°46'28" W, 383.21 feet to a set rebar; thence N 33°33'43" E, 34.69 feet to a set rebar; thence S 63°06'16" W, 166.65 feet; thence N 27°23'12" W, 314.73 feet; thence S 62°11'13" W, 350.02 feet to a point on the Eastern right of way line of U.S. Highway 71 (North bound); thence N 27°23'13" W, 35.11 feet along said right of way line to a punch in concrete; thence N 61°49'24" E, 47.85 feet along said right of way line; thence N 27°31'19" W, 64.62 feet along said right of way line to an existing rebar; thence N 62°11'13" E, 208.71 feet to an existing rebar; thence N 27°48'01" W, 551.38 feet to an existing rebar; thence S 85°18'07" E, 169.53 feet to an existing rebar; thence N 81°22'32" E, 624.22 feet to an existing rebar; thence N 89°24'54" E, 285.32 feet to an existing rebar on the Western right of way line of Old Highway 71; thence S 19°59'25" E, 73.58 feet along said Western right of way line to an existing P/K nail; thence S 03°50'29" W, 802.69 feet along said Western right of way line to the point of beginning, containing 7.88 acres in said SE/4 of the NE/4 and 8.54 acres in said NE/4 of the NE/4, in Aggregate containing 16.42 Acres more or less, being subject to public road rights of way and any easements of record.

CURRENT ZONING: ETJ 01
PROPOSED ZONING: PZD

OWNER & DEVELOPER:
CHARRINGTON CREEK HOLDINGS, LLC
P.O. BOX 10176
FORT SMITH, ARKANSAS 72917



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All unreserved rights in this drawing or any part thereof are reserved by Brixey Engineering & Land Surveying, Inc. No part of this drawing or any part thereof shall be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Brixey Engineering & Land Surveying, Inc.

ZONING CHARACTER AREAS
KNOX LANDING
PART OF THE NE/4 SECTION 23
T-7-N, R-32-W, SEBASTIAN CO., AR.

Prepared for: CHARRINGTON CREEK HOLDINGS, LLC

Arkansas Registered Professional Land Surveyor
No. 11109/24

BRIXEY ENGINEERING & LAND SURVEYING, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
P.O. Box 10176
Fort Smith, Arkansas 72906 (479) 644-5234

Date: 4/09/2024
Drawn by: RNS/RJA
Approved: RNS
Job No. 23-0398
PP

EXHIBIT B

Legal Description – Subject Property

Part of the Southeast Quarter (SE/4) of the Northeast Quarter (NE/4) and part of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of Section 23, Township 7 North, Range 32 West, Sebastian County, Arkansas being more particularly described as follows:

Commencing at an existing P/K nail in Old Highway 71 marking the Southeast corner of said SE/4 of the NE/4; thence N 02°37'22" W, 916.02 feet along the East line of said SE/4 of the NE/4; thence N 86°46'28" W, 28.26 feet to an existing rebar on the West right of way line of Old Highway 71 being the Point of Beginning; thence N 86°46'28" W, 383.21 feet to a set rebar; thence N 33°33'43" E, 34.69 feet to a set rebar; thence S 63°06'16"W, 166.65 feet; thence N 27°23'12" W, 314.73 feet; thence S 62°11'02"W, 350.02 feet to a point on the Easterly right of way line of U.S. Highway 71 (North bound); thence N 27°23'13" W, 35.11 feet along said right of way line to a punch in concrete; thence N 61°49'24"E, 47.85 feet along said right of way line; thence N 27°31'19" W, 64.62 feet along said right of way line to an existing rebar; thence N 62°11'13" E, 208.71 feet to an existing rebar; thence N 27°48'01" W, 551.38 feet to an existing rebar; thence S 85°18'07" E, 169.53 feet to an existing rebar; thence N 81°22'32" E, 624.22 feet to an existing rebar; thence N 89°24'54" E, 285.32 feet to an existing rebar on the Westerly right of way line of Old Highway 71; thence S 19°59'25" E, 73.58 feet along said Westerly right of way line to an existing p/k nail; thence S 03°50'29" W, 802.69 feet along said Westerly right of way line to the point of beginning, containing 7.88 acres in said SE/4 of the NE/4 and 8.54 acres in said NE/4 of the NE/4, in Aggregate containing 16.42 Acres more or less, being subject to public road rights of way and any easements of record.

EXHIBIT C

Legal Description – Street Right-of-Way for Rye Hill Road Extension

Part of the Southeast Quarter (SE/4) of the Northeast Quarter (NE/4) and part of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of Section 23, Township 7 North, Range 32 West, Sebastian County, Arkansas being more particularly described as follows:

Commencing at the Southeast corner of said NE/4 of the NE/4; thence N 02°37'22" W, 437.95 feet along the East line of said NE/4 of the NE/4; thence S 89°24'54" W, 42.60 feet to the Point of Beginning; thence 313.56 feet along the arc of a curve to the left having a radius of 550 feet and a chord length of 309.34 feet bearing S 42°42'52" W; thence 406.16 feet along the arc of a curve to the right having a radius of 650 feet and a chord length of 399.59 feet bearing S 44°16'58" W; thence S 62°11'02" W, 568.87 feet; thence N 27°23'13" W, 35.11 feet; thence N 61°49'24" E, 47.85 feet; thence N 27°31'19" W, 64.62 feet; thence N 62°11'16" E, 520.43 feet; thence 343.68 feet along the arc of a curve to the left having a radius of 550 feet and a chord length of 338.11 feet bearing N 44°16'58" E; thence 226.04 feet along the arc of a curve to the right having a radius of 650 feet and a chord length of 224.90 feet bearing N 36°20'38" E; thence N 89°24'54" E, 166.15 feet to the point of beginning, containing 2.71 acres more or less.

Exhibit D

Deed prepared by:

Alford Law Firm, P.A.
John D. Alford
P.O. Box 11548
Fort Smith, AR 72917

GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That, Carrington Creek Holdings, LLC, an Arkansas limited liability company (the "**Grantor**"), acting through its Authorized Signatory, Cary Smallwood, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars and other good and valuable consideration, to it in hand paid by the City of Fort Smith, Arkansas (the "**Grantee**"), the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does hereby grant, bargain, sell and convey unto the said Grantee and unto its successors and assigns forever, the following lands situated in Sebastian County, State of Arkansas to-wit:

REAL PROPERTY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF (the "Property").

THIS CONVEYANCE IS FURTHER SUBJECT TO THE PERMITTED EXCEPTIONS ON EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF (the "Permitted Exceptions").

TO HAVE AND TO HOLD the same unto the said Grantee, and unto its successors and assigns forever, TOGETHER with all tenements, hereditaments, privileges and appurtenances and all right, title, interest and estate of Grantor thereto belonging or in any way pertaining to the Property subject to the Permitted Exceptions. And the said Grantor hereby covenants with the said Grantee, its successors and assigns, subject to the Permitted Exceptions hereinabove reserved, Grantor will forever warrant and defend the title to the said Property against all claims and encumbrances.

[remainder of page intentionally left blank; signature page follows]

IN TESTIMONY WHEREOF, the Grantor has caused these presents to be signed by its manager and executed this ___ day of _____, 2025.

GRANTOR:

Carrington Creek Holdings, LLC,
an Arkansas limited liability company

By: _____
Name: _____
Title: Manager

ACKNOWLEDGMENT

STATE OF ARKANSAS)
)ss
COUNTY OF SEBASTIAN)

On this __ day of _____, 2025, before me, a Notary Public, duly qualified, commissioned and acting within and for the County of Sebastian, appeared in person _____, Authorized Signatory of Carrington Creek Holdings, LLC, and was duly authorized in his respective capacity to execute the foregoing instrument for and in the name and behalf of said company, and further stated and acknowledged that he had so signed, executed, and delivered said foregoing instrument for the consideration, uses, and purposes therein mentioned and set forth.

In Testimony Whereof, I have hereunto set my hand and seal as such Notary Public this _____ day of _____, 2025.

Notary Public

My Commission Expires:

(SEAL)

EXHIBIT "A"
Legal Description of Property

Legal Description – Street Right-of-Way for Rye Hill Road Extension

Part of the Southeast Quarter (SE/4) of the Northeast Quarter (NE/4) and part of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of Section 23, Township 7 North, Range 32 West, Sebastian County, Arkansas being more particularly described as follows:

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EXHIBIT "B"
Permitted Exceptions

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING CERTAIN TERRITORY INTO
THE CITY OF FORT SMITH, ARKANSAS**

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

WHEREAS, on October 15, 2024, in the County Court of Sebastian County, Arkansas, Greenwood District, there was heard the Petition for Annexation, in proper form and substance, executed by all the real estate owners in the territory to be annexed;

WHEREAS, the County Clerk and the County Assessor have verified the identity of the Petitioner, that there are no property owners included in the petition that do not wish to have their property annexed, that the property described in the petition is contiguous with the City of Fort Smith, and that no additional enclaves will be created if the petition is accepted by the City of Fort Smith; and,

WHEREAS, the County Court for Sebastian County, Arkansas, Greenwood District has approved the Petition for Annexation and issued county court order 2024-0156 referring the Petition for Annexation to the City of Fort Smith for consideration.

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

Section 1: That the following described property is contiguous to the City of Fort Smith and the same is hereby accepted as part of, and annexed to and made a part of the City of Fort Smith, Arkansas:

Part of the Southeast Quarter (SE/4) of the Northeast Quarter (NE/4) and part of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of Section 23, Township 7 North, Range 32 West, Sebastian County, Arkansas being more particularly described as follows:

Commencing at an existing P/K nail marking the Southeast corner of said SE/4 of the NE/4; thence N 02°34'27" W, 916.39 feet along the East line of said SE/4 of the NE/4; thence N86°50'50"W, 27.58 feet to an existing rebar on the West right of way line of Old Highway 71 being the Point of Beginning; thence N86°46'28"W, 383.21 feet; thence N33°33'43"E, 34.69 feet; thence S63°06'16"W, 166.65 feet; thence N27°23'12"W, 314.73 feet; thence S62°11'02"W, 350.02 feet to a point on the easterly right of way of U.S. Highway 71; thence N27°23'13"W,

35.11 feet along said right of way; thence N61°49'24"E, 47.85 feet along said right of way; thence N27°31'19"W, 64.62 feet along said right of way; thence N62°11'13"E, 208.71 feet; thence N27°48'01"W, 551.38 feet; thence S85°18'07"E, 169.53 feet; thence N81°22'32"E, 624.22 feet; thence N89°24'54"E, 285.32 feet to a point on the Westerly right of way line of Old Highway 71; thence S19°59'25"E, 73.58 feet along said Westerly right of way line; thence S03°50'29"W, 802.69 feet along said westerly right of way line to the point of beginning, containing 7.88 acres in said SE/4 of the NE/4 and 8.54 acres in said NE/4 of the NE/4, in Aggregate containing 16.42 Acres more or less, being subject to public road rights of way and any easements of record.

Section 2: The above described property shall be annexed to and made a part of Ward 3 of the City of Fort Smith.

Section 3: Within forty-five (45) days of the effective date of this ordinance the city clerk shall provide written notice of the annexations, along with complete documentation, to the Sebastian County Clerk.

PASSED AND APPROVED THIS _____ DAY OF MARCH, 2025.

ATTEST:

APPROVED:

City Clerk

Mayor

Approved as to form:



City Attorney
Publish One Time



Sharon Brooks
Sebastian County Clerk and Recorder

35 S. 6th Street, Room 102
P.O. Box 1089
Fort Smith, Arkansas 72902-1089
479.782.5065 Fax 479.784.1567
sbrooks@co.sebastian.ar.us

OFFICE OF THE CITY CLERK
RECEIVED
10/23/24 Bottoms
CITY OF FORT SMITH, ARKANSAS

City of Fort Smith

Po Box 1908

CC-2024-3-G

Fort Smith AR 72902

Dear Mayor George McGill:

The County has received and processed a proposed annexation pursuant to ACA § 14-40-609 related to annexation by 100% of the property owners. I am transmitting to you a copy of the documents relating to the proposed annexation for the consideration by the City of Fort Smith Council. The process has confirmed the property is contiguous and the 100% of the owners of the property proposed to be annexed have signed the petition.

If our council and you approve the annexation, please ask your clerk or recorder to return to me one (1) certified copy of the plat of the annexed property and 1 certified copy of the ordinance or resolution approving the annexation so that I can send those on to the Secretary of State and the Director of the Tax Division of the Public Service Commission as required by the statute.

Please feel free to contact me if you have questions.

Jean Sterling

Sincerely

Greenwood

301 East Center
P.O. Box 428
Greenwood, Arkansas 72936-0428
479.996.4195 Fax 479.996.4165

IN RE THE MATTER OF ANNEXATION OF REAL PROPERTY CONTIGUOUS TO
THE CITY OF FORT SMITH, ARKANSAS
GREENWOOD DISTRICT

CARRINGTON CREEK HOLDINGS, LLC
AN ARKANSAS LIMITED LIABILITY COMPANY

PETITIONER

CASE NO. CC-2024-3

ORDER AUTHORIZING ANNEXATION
PURSUANT TO ARK. CODE ANN. §14-40-609

I, Steve Hotz, County Judge of Sebastian County, Arkansas, having reviewed the attached Petition for Annexation, as verified by the Sebastian County Assessor and Sebastian County Clerk, hereby recommend annexation after finding as follows:

- (1) That the Petition for Annexation and verifications are complete and accurate;
- (2) That no enclaves will be created by the proposed annexation and, in fact, an existing enclave will be reduced by this annexation; and
- (3) That the Petition contains the proper verification and a schedule of services.

The County Clerk is hereby directed to forward a copy of this Order and the related Petition to the Mayor or other appropriate municipal authority of the City of Fort Smith, Arkansas for consideration of annexation via ordinance or resolution by the City of Fort Smith, Arkansas.

IT IS SO ORDERED.

FILED

OCT 16 2024

SHARON BROOKS
Sebastian County Clerk & Recorder
BY SS

Steve Hotz

Honorable Steve Hotz
County Judge

Date: 10-16-24

FILED

OCT 15 2024

SHARON BROOKS
Sebastian County Clerk & Recorder

BY KC

**IN RE THE MATTER OF ANNEXATION OF REAL PROPERTY CONTIGUOUS TO
THE CITY OF FORT SMITH, ARKANSAS
GREENWOOD DISTRICT**

**CARRINGTON CREEK HOLDINGS, LLC
AN ARKANSAS LIMITED LIABILITY COMPANY**

PETITIONER

CASE NO. CC - 2024 - 3

VERIFIED PETITION FOR VOLUNTARY ANNEXATION

COMES NOW, Carrington Creek Holdings, LLC (the “**Petitioner**”), through its attorney Alford Law Firm, P.A., by John D. Alford, and for its Verified Petition for Voluntary Annexation, and pursuant to Arkansas Statute Annotated §14-40-609, states as follows:

1. The Petitioner is the sole 100% owner of the property and desires the property to be annexed into the City of Fort Smith. The property is more particularly described on Exhibit “A” attached hereto and made a part hereof (the “**Real Property**”) as verified by the Title Company verification attached hereto as Exhibit “F” and made a part hereof (the “**Title Verification**”).

2. Petitioner has executed a verification swearing that Petitioner is the sole owner of the Real Property. Petitioner, by filing this Petition, appoints John D. Alford of Alford Law Firm, P.A., whose address is 6804 Rogers, Avenue., Suite B, Fort Smith, AR 72903, to act on behalf of Petitioner to present this matter to the County of Sebastian, Arkansas and the City of Fort Smith, Arkansas and any other governing body, to annex the Real Property into the City of

Fort Smith, Arkansas and to do all thing related thereto.

3. The survey of the Real Property is attached hereto as Exhibit "B" and made a part hereof, was prepared by Brixey Engineering & Land Surveying, Inc (the "Surveyor").

4. Attached hereto as Exhibit "C" and made a part hereof, is a letter from Ron Brixey verifying that the Real Property is contiguous with the annexing city and that no enclaves will be created if the Real Property is accepted by the City of Fort Smith.

5. Attached hereto as Exhibit "D" and made a part hereof, is a letter from the Arkansas GIS Office confirming that the Petitioner and Surveyor have coordinated with the Arkansas GIS Office as specified in Arkansas Statute Annotated §14-40-101.

6. The Real Property is vacant land which represents growth of the municipality of the City of Fort Smith, Arkansas.

7. The City of Fort Smith is currently equipped to immediately provide fire and police service to the Real Property will be available all within three (3) years of the date accepting the Real Property and is prepared to provide road maintenance and trash, water and sewer services upon completion of utility improvements for the Real Property.

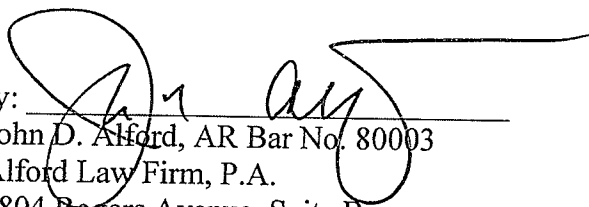
WHEREFORE, PREMISES CONSIDERED, the Petitioner prays that pursuant to A.C.A. §14-40-609 within fifteen (15) days of the filing of this Verified Petition with the Sebastian County Assessor and Clerk, said Assessor and Clerk verify this Petition and present the same to the Sebastian County Judge and the County Judge verify the same and issue an Order on the Petition in accordance with A.C.A. §14-40-609 (c)(2)(D) and forward the Petition and said Order to the City Clerk of the City of Fort Smith for placement on the agenda of the City of Fort Smith Board of Directors for consideration and approval; that the City of Fort Smith, Arkansas Board of Directors grant the Petition by adopted ordinance or resolution

accepting the Real Property as described herein for annexation in and to the City of Fort Smith, Arkansas; for a final Order from the County Judge of Sebastian County, Arkansas confirming the annexation of the Real Property into the City of Fort Smith; and that Petitioner be granted such other relief to which Petitioner may be entitled pursuant to law.

Respectfully submitted,

PETITIONER:

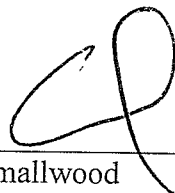
Carrington Creek Holdings, LLC,
an Arkansas limited liability company

By: 
John D. Alford, AR Bar No. 80003
Alford Law Firm, P.A.
6804 Rogers Avenue, Suite B
Fort Smith, AR 72903
Telephone: (479) 494-5682
Facsimile: (479) 221-9173
Email: john@jdalfordlaw.com

VERIFICATION

STATE OF ARKANSAS)
) §§
COUNTY OF SEBASTIAN)

Comes now, Cary Smallwood, Manager of Carrington Creek Holdings, LLC, and being first duly sworn on oath states that he has read the above and foregoing Petition and that the facts and matters therein contained and set forth are true and correct to the best of his knowledge.



Cary Smallwood

Subscribed and sworn to before me this 7th day of October, 2024.

Nannette Stone

Notary Public

My Commission Expires:
08/07/2034
(SEAL)

NANNETTE STONE
SEBASTIAN COUNTY
NOTARY PUBLIC – ARKANSAS
My Commission Expires 08/07/2034
Commission No. 12400114

EXHIBIT "A"

Legal Description

SURVEY DESCRIPTION:

Part of the Southeast Quarter (SE/4) of the Northeast Quarter (NE/4) and part of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of Section 23, Township 7 North, Range 32 West, Sebastian County, Arkansas being more particularly described as follows:

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EXHIBIT "B"

Survey

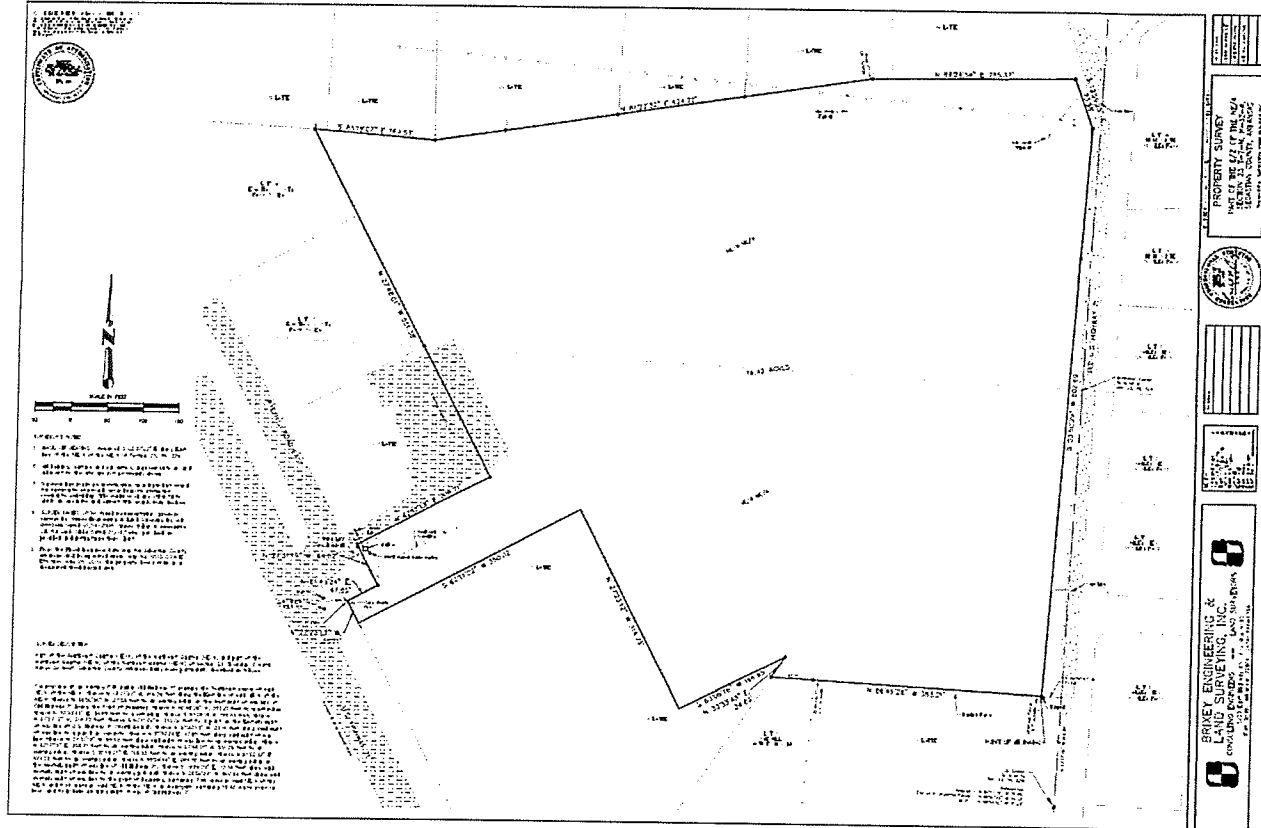


EXHIBIT "C"

Ron Brixley Letter



Brixey Engineering & Land Surveying, Inc.

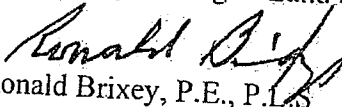
October 2, 2024

To Whom it may Concern

Re: Carrington Creek Holdings, LLC Property
Part of the W/2, NE/4, Section 23, T-7-N, R-32-W
Sebastian County, Arkansas
Tax Parcel No. 60001-0000-05819-05

This is to verify that I have investigated the property with regard to the existing City Limits of The City of Fort Smith and determined that the property is contiguous to said City Limits and that no enclaves will be created if the property is accepted for annexation by the City of Fort Smith.

Sincerely,
Brixey Engineering & Land Surveying, Inc.


Ronald Brixey, P.E., P.L.S.

Tel. 479.646.6394
Fax 479.646.6721
www.BRIXEYENG.com

5223 East Hwy. 45
P.O. Box 6180
Fort Smith, AR 72906

consulting engineers
land surveyors

EXHIBIT "D"

GIS Letter



Department of Transformation and Shared Services
Governor Sarah Huckabee Sanders
Secretary Leslie Fiskin

September 3, 2024

Honorable Mayor George McGill
623 Garrison Ave.
FORT SMITH, AR 72901

RE: City of Fort Smith Annexation Coordination Requirement

Mayor McGill,

Thank you for coordinating with our office as you seek to annex property into the City of Fort Smith, located in Section 23, Township 7 North, Range 32 West, Sebastian County, Arkansas. This letter represents confirmation that you have coordinated with our office (Arkansas GIS Office) as specified in § 14-40-101 (Act 914 of 2015) of the 90th General Assembly.

Our office will wait for the completion of additional steps necessary for the proposed boundary change, which normally comes from the Arkansas Secretary of State Elections Division after the appropriate filing by your County Clerk.

Sincerely,

A handwritten signature in cursive script that reads 'Niki Bittle'.

Niki Bittle, GIS Analyst

Attachments:

GIS Office Map of Proposed Annexation

Legal Description

Secretary of State Municipal Change Checklist

H:\City_Annexations\Cities\Fort_Smith\20240903\Doc\20240903_Fort_Smith_Annexation_Coordination_Letter.docx

501 Woodlane St, Ste 201 - Little Rock, AR 72201 - 501-319-6565
transform.ar.gov

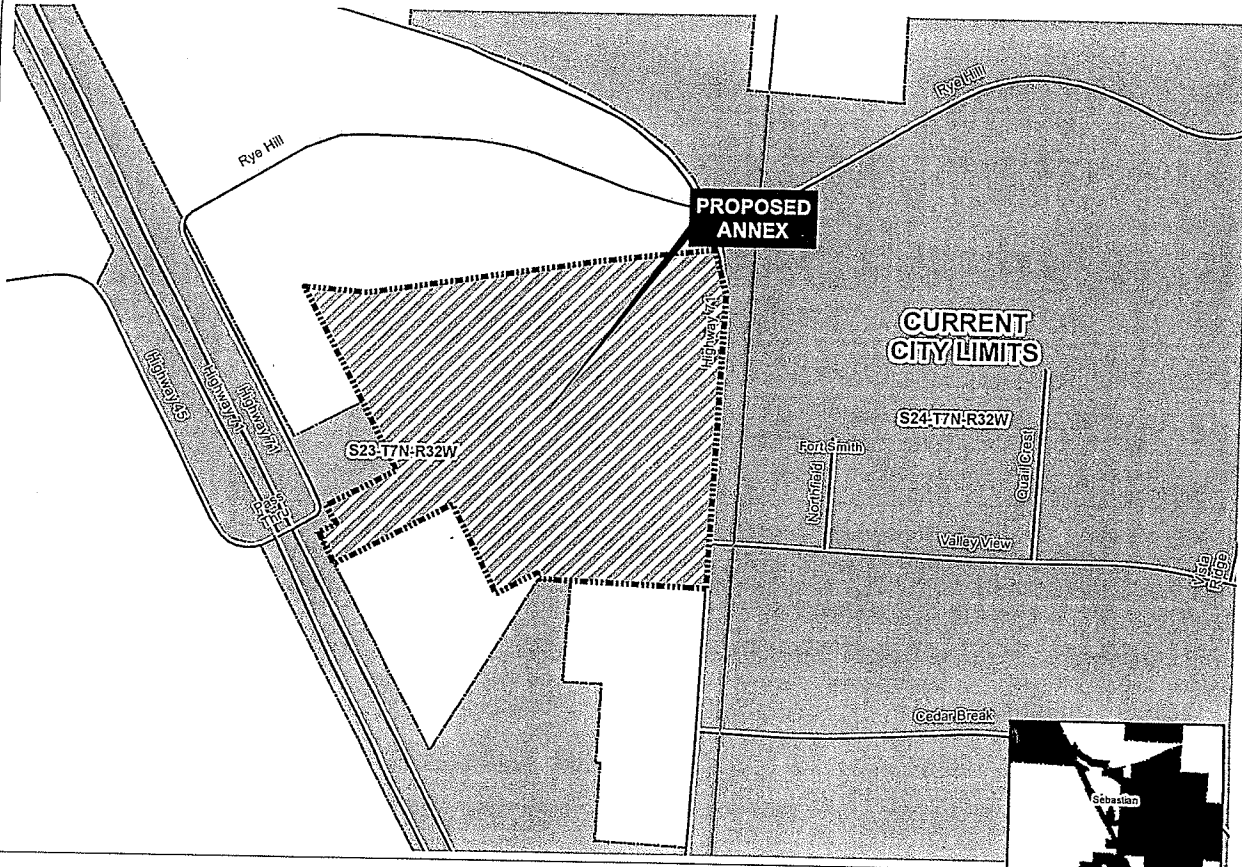
Proposed Annex: City of Fort_Smith
September 2024




City: Fort_Smith
Mayor: George McGill

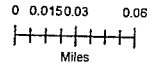
Arkansas Code 14-40-101.

Before an entity undertakes an annexation, consolidation, or detachment proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment areas.

The map contained herein, is evidence, the entity has met requirements of Act 914 of 2015



-  Proposed Annex
-  Sections
-  Existing City
-  Neighboring City



 ARKANSAS
GIS OFFICE

H:\City_Annexations\Cities\Fort_Smith\2024\9503

EXHIBIT "F"

Title Verification Letter



CAPITAL
ABSTRACT & TITLE Co., LLC

6804 Rogers Ave., Ste. A
Fort Smith, AR 72903
(479) 782-4500 / (479) 782-4501 FAX
www.capitalabstracttitle.com

October 7, 2024

To Whom It May Concern:

We have examined title to the real property described in Exhibit "A" attached hereto and made a part hereof. Carrington Creek Holdings, LLC, an Arkansas limited liability company, is the sole owner of the real property described in Exhibit "A".

If you have any questions, please let me know.
Thank you.

Sincerely,

CAPITAL ABSTRACT & TITLE COMPANY, LLC

By: 
Katrina Patterson, Title Examiner

IN THE MATTER OF ANNEXING TO THE
CITY OF FORT SMITH, ARKANSAS
CERTAIN TERRITORY CONTIGUOUS TO SAID
CITY OF FORT SMITH, ARKANSAS

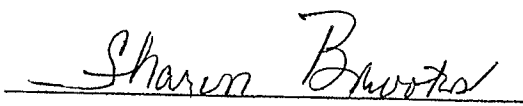
CC-2024-3-G

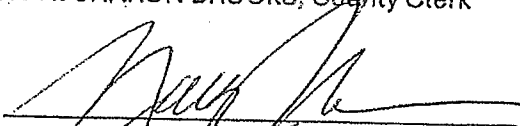
CARRINGTON CREEK HOLDINGS LLC AN ARKANSAS LIMITED LIABILITY COMPANY
PETITIONER

VERTIFICATION OF PETITION FOR ANNEXATION PURSUANT TO ACA § 14-40-609

We, Sharon Brooks County Clerk of Sebastian County and Zach Johnson, County Assessor of Sebastian County, attest as follows:


- (A) The identity of the petitioner or petitioners has been confirmed;
- (B) There are no property owners included in the petition that do not wish to have their property annexed;
- (C) The property described in the petition is contiguous with the City of Fort Smith, and
- (D) No enclaves will be created if the petition is accepted by the City of Fort Smith,


HON. SHARON BROOKS, County Clerk

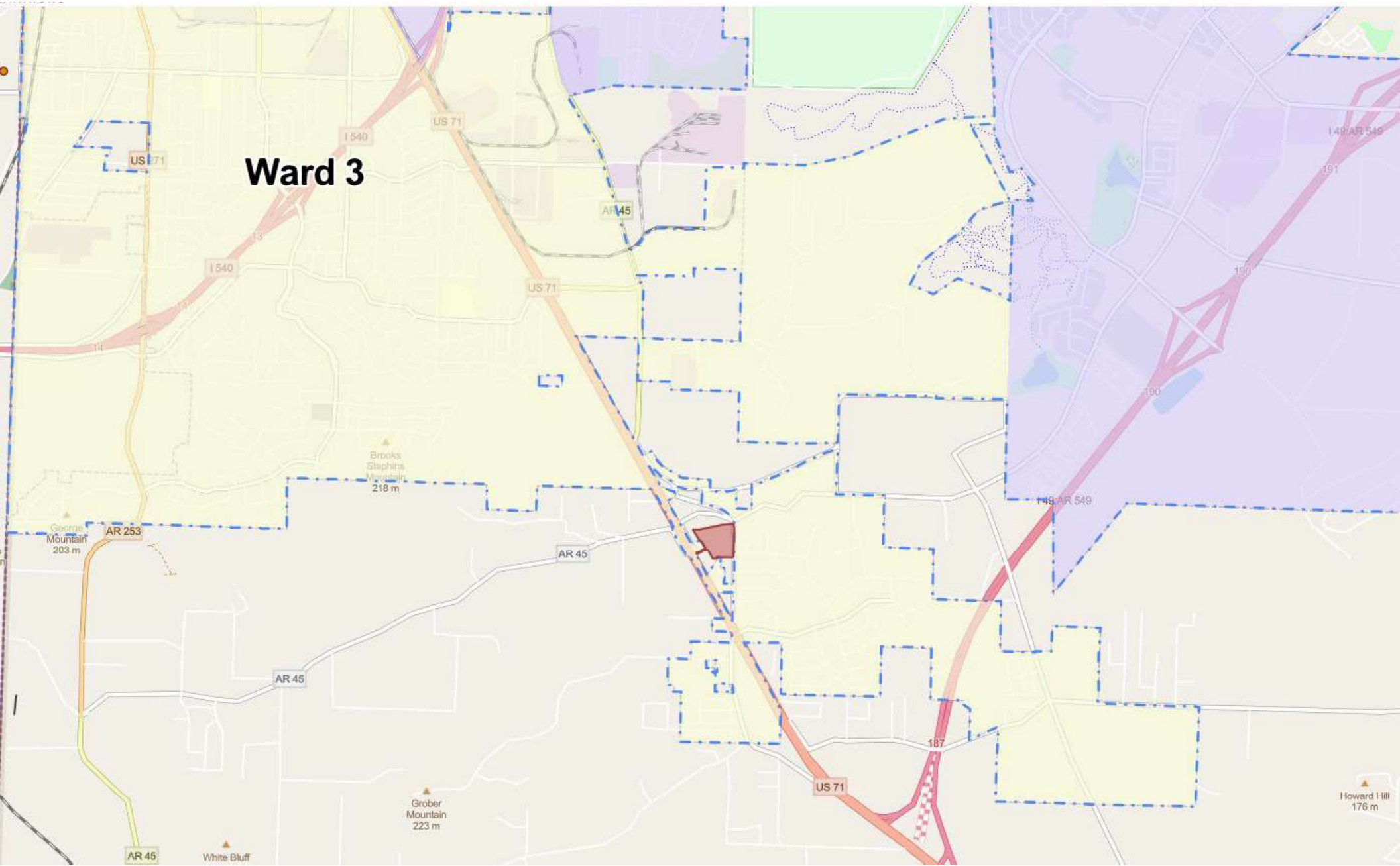

HON. ZACH JOHNSON, County Assessor

FILED

OCT 16 2024

SHARON BROOKS
Sebastian County Clerk & Recorder
BY 

Ward 3



RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE ACQUISITION
OF REAL PROPERTY INTERESTS FOR THE STREET
RIGHT OF WAY FOR RYE HILL ROAD EXTENSION**

WHEREAS, the 2005 Master Street Plan identifies Rye Hill Road East as a Major Arterial Street with a one hundred feet (100') wide right of way ("Street Right of Way for Rye Hill Road Extension");

WHEREAS, the Street Right of Way for Rye Hill Road Extension bisects the following described property:

Part of the Southeast Quarter (SE/4) of the Northeast Quarter (NE/4) and part of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of Section 23, Township 7 North, Range 32 West, Sebastian County, Arkansas being more particularly described as follows:

Commencing at an existing P/K nail in Old Highway 71 marking the Southeast corner of said SE/4 of the NE/4; thence N 02°37'22" W, 916.02 feet along the East line of said SE/4 of the NE/4; thence N 86°46'28" W, 28.26 feet to an existing rebar on the West right of way line of Old Highway 71 being the Point of Beginning; thence N 86°46'28" W, 383.21 feet to a set rebar; thence N 33°33'43" E, 34.69 feet to a set rebar; thence S 63°06'16"W, 166.65 feet; thence N 27°23'12" W, 314.73 feet; thence S 62°11'02"W, 350.02 feet to a point on the Easterly right of way line of U.S. Highway 71 (North bound); thence N 27°23'13" W, 35.11 feet along said right of way line to a punch in concrete; thence N 61°49'24"E, 47.85 feet along said right of way line; thence N 27°31'19" W, 64.62 feet along said right of way line to an existing rebar; thence N 62°11'13" E, 208.71 feet to an existing rebar; thence N 27°48'01" W, 551.38 feet to an existing rebar; thence S 85°18'07" E, 169.53 feet to an existing rebar; thence N 81°22'32" E, 624.22 feet to an existing rebar; thence N 89°24'54" E, 285.32 feet to an existing rebar on the Westerly right of way line of Old Highway 71; thence S 19°59'25" E, 73.58 feet along said Westerly right of way line to an existing p/k nail; thence S 03°50'29" W, 802.69 feet along said Westerly right of way line to the point of beginning, containing 7.88 acres in said SE/4 of the NE/4 and 8.54 acres in said NE/4 of the NE/4, in Aggregate containing 16.42 Acres more or less, being subject to public road rights of way and any easements of record ("Subject Property");

WHEREAS, the Subject Property is owned by Carrington Creek Holdings, LLC; and,

WHEREAS, the City desires to acquire the Street Right of Way for Rye Hill Road

Extension in fee by negotiated agreement with Carrington Creek Holdings, LLC.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The recitals set forth above are incorporated herein by reference.

SECTION 2: The acquisition of the Street Right of Way for Rye Hill Road Extension for the negotiated value of \$48,750.00, plus customary real estate closing costs, is approved, said street right of way being more particularly described as follows:

Part of the Southeast Quarter (SE/4) of the Northeast Quarter (NE/4) and part of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of Section 23, Township 7 North, Range 32 West, Sebastian County, Arkansas being more particularly described as follows:

Commencing at the Southeast corner of said NE/4 of the NE/4; thence N 02°37'22" W, 437.95 feet along the East line of said NE/4 of the NE/4; thence S 89°24'54" W, 42.60 feet to the Point of Beginning; thence 313.56 feet along the arc of a curve to the left having a radius of 550 feet and a chord length of 309.34 feet bearing S 42°42'52" W; thence 406.16 feet along the arc of a curve to the right having a radius of 650 feet and a chord length of 399.59 feet bearing S 44°16'58" W; thence S 62°11'02" W, 568.87 feet; thence N 27°23'13" W, 35.11 feet; thence N 61°49'24" E, 47.85 feet; thence N 27°31'19" W, 64.62 feet; thence N 62°11'16" E, 520.43 feet; thence 343.68 feet along the arc of a curve to the left having a radius of 550 feet and a chord length of 338.11 feet bearing N 44°16'58" E; thence 226.04 feet along the arc of a curve to the right having a radius of 650 feet and a chord length of 224.90 feet bearing N 36°20'38" E; thence N 89°24'54" E, 166.15 feet to the point of beginning, containing 2.71 acres more or less.

Acquisition of the Street Right of Way for Rye Hill Road Extension described above in fee, by conveyance from Carrington Creek Holdings, LLC to the City by general warranty deed, for the negotiated amount is hereby authorized.

SECTION 3: The City Administrator, or his designated agents, and the City Attorney are hereby authorized to acquire the Street Right of Way for Rye Hill Road Extension as described in Section 2 for the above identified negotiated amount.

SECTION 4: Payment for acquisition of the Street Right of Way for Rye Hill Road
Extension authorized by Section 2 is hereby authorized from the Sales Tax Fund (1105).

This resolution adopted this _____ day of March, 2025.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to Form



No Publication Required



MEMORANDUM

TO: Jeff Dingman, Acting City Administrator
FROM: Maggie Rice, Deputy City Administrator
DATE: February 21, 2025
SUBJECT: Rezoning #8-2-25 from Commercial Heavy (C-5) to Industrial Light (I-1) at 801 South Zero Street by Tony Toth

SUMMARY

On February 11, 2025, the Planning Commission held a public hearing to consider rezoning property located at 801 South Zero Street from Commercial Heavy (C-5) to Industrial Light (I-1). The property, containing an area of 0.8 acres, is located on the northeast corner of South Zero Street and Wheeler Avenue. The proposed rezoning to an Industrial Light (I-1) will allow for an electrical equipment, appliance and components manufacturing business to operate within the existing building.

A neighborhood meeting was held on January 31, 2025. No neighboring property owners were in attendance.

At the Planning Commission meeting, Mr. Tony Toth was present to represent these applications. There were none present to speak in favor or opposition of the item.

The Planning Commission voted nine (9) in favor and zero (0) opposed to recommend the Board of Directors amend the Zoning Map.

Please contact me if you have any questions.

ATTACHMENTS

1. [801_South_Zero_Street_Ordinance.pdf](#)
2. [801_Backup.pdf](#)

ORDINANCE NO. _____

**AN ORDINANCE REZONING IDENTIFIED PROPERTY
AND AMENDING THE ZONING MAP**

WHEREAS, the City Planning Commission held a public hearing upon request 8-2-25 to rezone certain property hereinafter described, and, having considered said request, recommended on February 11, 2025, that said change be made.

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

SECTION 1: That the following property to-wit:

Part of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 32, Township 8 North, Range 32 West, Fort Smith, Sebastian County, Arkansas, being more particularly described as follows:

COMMENCING at the Southwest corner of said Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4); THENCE S86°37'23"E, along the South line of said Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4), 133.50 feet to a point; THENCE leaving the South line of said Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4), N04°06'03"E, 33.06 feet to an existing concrete right-of-way marker on the North Right-of-Way line of South Zero Street marking the POINT OF BEGINNING; THENCE N85°20'49"W, along the North Right-of-Way line of said South Zero Street, 56.20 feet to a point on the East right-of-Way line of Wheeler Avenue; THENCE leaving the North Right-of-Way line of said South Zero Street and along the East Right-of-Way line of said Wheeler Avenue, the following courses (bearing and distances): N54°43'31"W, 26.90 feet to a point; N28°59'37"W, 51.00 feet to an existing concrete right-of-way marker; N03°10'32"E, 307.49 feet to an existing iron pipe marking the Westerly corner of Tract 1, Zero Industrial Park, an addition to the city of Fort Smith, Sebastian County, Arkansas; THENCE leaving the East Right-of-Way line of said Wheeler Avenue, S86°32'43"E, along the Westerly line of said Tract 1, Zero industrial Park, 107.26 feet to an existing rebar (RLS1369); THENCE S03°21'11"W, along the Westerly line of said Tract 1, Zero Industrial Park, crossing an existing rebar (RLS1369) marking Southwest corner of said Tract 1, Zero Industrial Park at 183.03 feet, in all 365.88 feet to the POINT OF BEGINNING, containing 0.868 acres, more or less, being subject to public road rights-of-way and any easements of record, according to a survey by Anderson Surveying, Inc., RLS # 1272, Job # 24-12-31.

More commonly known as 801 South Zero Street is hereby rezoned from Commercial Heavy (C-5) to Industrial Light (I-1).

The zoning map of the City of Fort Smith is hereby amended to reflect said zoning.

SECTION 2: It is hereby found and determined that the adoption of the amendment to the zoning map is necessary to alleviate an emergency relative to the regulation of uses of property within the City of Fort Smith so that the protection of the health, safety, welfare, and property of the inhabitants of the City requires that the above amendment be effective, and the amendment is hereby made effective as of date of approval of this Ordinance.

PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

ATTEST:

APPROVED:

City Clerk

Mayor

Approved as to form:



Publish One Time

**FEBRUARY 2025 PLANNING COMMISSION MEETING MINUTES
DRAFT
FEBRUARY 11, 2025**

- 7. Variance #7-2-25 - A request by Tony Toth, owner, for a variance requests from 2 acres to 0.8 acres minimum lot size for rezoning to Industrial Light and from 10 feet to 0 feet side yard setback in a proposed Industrial Light (I-1) zoning at 801 South Zero Street.**

Chairman McCaffrey introduced items 7, 8, and 9 as companion items. Mr. Miller presented the staff report indicating the subject property was located on the northeast corner of South Zero Street and Wheeler Avenue. He said approval of the items would allow for an electrical equipment, appliance and components manufacturing business to operate within the existing building.

Mr. Tony Toth was present to represent the items. There was none present to speak in favor or opposition of the items.

Chairman McCaffrey called for a motion on item 7. Commissioner Marshall moved, seconded by Commissioner Newton, to approve with staff comments. Chairman McCaffrey noted his support of the application and the Commission concurred.

Chairman McCaffrey called for a vote on item 7. The vote was nine (9) in favor and zero (0) opposed.

**RECESS BOARD OF ZONING ADJUSTMENT
CONVENE PLANNING COMMISSION**

- 8. Rezoning #8-2-25 – A request by Tony Toth, owner, for a zone change from Commercial Heavy (C-5) to Industrial Light (I-1) at 801 South Zero Street.**

Chairman McCaffrey called for a motion on item 8. Commissioner Trumbly moved, seconded by Commissioner Hanna, to approve with staff comments. Chairman McCaffrey called for a vote on item 8. The vote was nine (9) in favor and zero (0) opposed.

- 9. Development Plan #7-2-25 - A request by Tony Toth, owner, for a development plan approval for an electrical equipment, appliance and components manufacturing business in a proposed Industrial Light (I-1) zone at 801 South Zero Street.**

Chairman McCaffrey called for a motion on item 9. Commissioner Wilson moved, seconded by Commissioner Newton, to approve with staff comments. Chairman McCaffrey called for a vote on item 9. The vote was nine (9) in favor and zero (0) opposed.



**Fort Smith
Planning Commission**

Item Number: Rezoning #8-2-25

Hearing Date: February 11, 2025

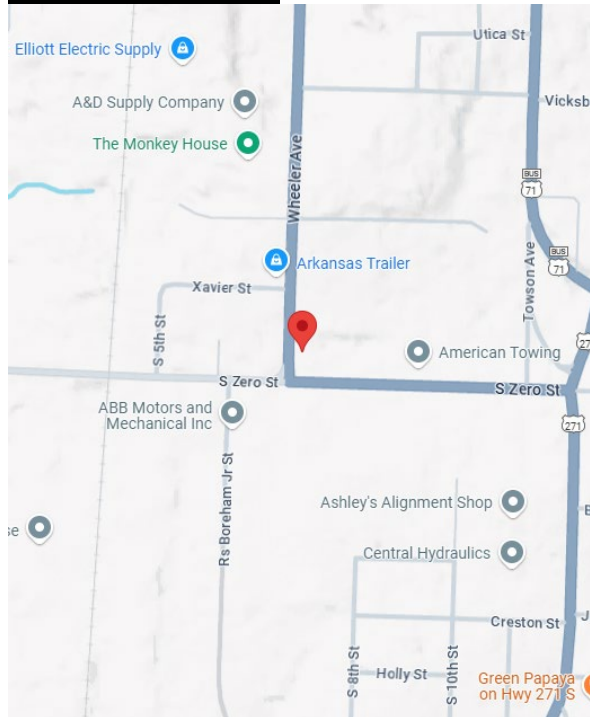
Report Prepared by:

Planning Staff

Owner and Applicant Information:

Applicant/Owner: Tony Toth

Location Map:



Applicant Proposal:

Address: 801 South Zero Street

Present Use: Vacant Building

Summary: Zone change request from Commercial Heavy (C-5) to Industrial Light (I-1)

Total Tract Size: 0.8 Acres

Location: Northeast corner of South Zero Street and Wheeler Avenue Intersection

Existing Zoning:

C-5

Master Land Use Plan:

Office, Research, and Light Industrial

Staff recommendation:

Approval

Memo

To: City Planning Commission

From: Planning Staff

Date: February 11, 2025

Re: Rezoning #8-2-25 – A request by Tony Toth, owner, for a zone change from Commercial Heavy (C-5) to Industrial Light (I-1) at 801 South Zero Street.

PROPOSED ZONING

Approval of the rezoning application and companion applications will allow for an electrical equipment, appliance and components manufacturing business to operate within the existing building.

LOT LOCATION AND SIZE

The subject property is on the northeast corner of South Zero Street and Wheeler Avenue. The tract contains an area of 0.8 acres with approximately 230 feet of street frontage along Wheeler Avenue and 100 feet of frontage along South Zero Street.

REQUESTED ZONING

The requested zoning on this tract is Industrial Light (I-1).
Characteristics of this zone are as follows:

Purpose:

To provide for a mixture of light manufacturing, office park, research and development, and limited retail/service retail land uses in an attractive, business park setting. The Industrial Light district may be used as a zoning buffer between mixed uses, commercial uses and heavier industrial uses. The I-1 zoning district is appropriate with the Office, Research, and Light Industrial (ORLI) and Industry classifications of the Master Land Use Plan.

Permitted Uses:

Auto and boat related businesses, a wide variety of retail businesses, indoor flea market, pawnshop, financial services, offices, bar or tavern, restaurant, animal and pet services, manufacturing and commercial communication towers are examples of permitted uses.

Conditional Uses:

Homeless shelter, truck stop, outdoor flea market, beer garden, restaurant with outdoor dining, pet cemetery, animal food processing, petroleum distribution facility, bus station, recycling center, sports complex, educational facilities and police station are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 20,000 square feet

Maximum Height - 45 feet (1+1)

Maximum Lot Coverage - 75%

Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 2 acres

Existing District (By Extension) – 20,000 square feet

Minimum Lot Width – 100 feet

Front Yard Setback - 25 feet

Side Yard on Street Side of Corner Lot - 15 feet

Side Yard Setback – 10 feet

Rear Yard Setback - 10 feet

Side/Rear (adjoining SF Residential District/Development) – 100 feet (may be reduced to 60 feet with Planning Commission approval of screening and/or landscaping through the Development Plan approval process)

Minimum building separation – to be determined by current City building and fire code.

Required street access – Major Arterial or higher

EXISTING ZONING

The existing zoning on this tract is Commercial Heavy (C-5).

Characteristics of this zone are as follows:

Purpose:

To provide adequate locations for retail uses and services that generate moderate to heavy automobile traffic. The C-5 zoning district is designed to facilitate convenient access, minimize traffic congestion, and reduce visual clutter. The C-5 zoning district is appropriate in the General Commercial, Office, Research, and Light Industrial, Mixed Use Residential, and Mixed Use Employment classification of the Master Land Use Plan.

Permitted Uses:

A wide variety of retail uses including clothing stores, specialty shops and restaurants. Commercial-5 zones also allow professional offices and multi-family apartments, community residential facility and neighborhood group homes are examples of permitted uses.

Conditional Uses:

Orphanage, dormitory, sorority, fraternity, auto vehicle impoundment or holding yard, auto body shop, medical laboratory, beer garden, restaurants with outdoor dining, pet cemetery, bus station, utility substations, museum, parks, educational facilities, police station, community food service, nursing home and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 14,000 square feet
Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 2 acres
Existing District (By Extension) – 14,000 square feet
Minimum Lot Width – 100 feet
Front Yard Setback - 25 feet
Side Yard on Street Side of Corner Lot - 15 feet
Side Yard Setback – 20 feet
Rear Yard Setback - 20 feet
Side/Rear (adjoining SF Residential District/Development) – 30 feet
Minimum building separation – to be determined by current City building and fire code.
Required street access – Minor Arterial or higher

SURROUNDING ZONING AND LAND USE

Direction	Land use	Zoning
North,	City of Fort Smith Fire Marshal Headquarters	C-5, Commercial Heavy
East	Welding and Sheet Metal Shop	C-5, Commercial Heavy
West	HVAC Contractor Shop and Storage and a Church	C-5, Commercial Heavy
South	Manufacturing Medium (Baldor)	I-2, Industrial Moderate

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies Wheeler Avenue and South Zero Street as Major Arterial classifications.

MASTER LAND USE PLAN

The Master Land Use Plan classifies this site as Office, Research and Light Industrial. This classification is intended to provide opportunities for clean, indoor, minimum impact, research, development, assembly, manufacturing, warehousing, distribution, and supportive goods and services.

NEIGHBORHOOD MEETING

A neighborhood meeting was held on January 31, 2025, at 9:30 a.m. on site. No neighboring property owners attended the meeting.

STAFF COMMENTS

Approval of the rezoning and companion applications allows for the owner to use the existing building as an electrical equipment, appliance and components manufacturing business. The zoning request complies with the Master Land Use Plan classification and required street access for an industrial zone. Additionally, the proposed zoning resembles the existing development, and land uses within the surrounding areas.

STAFF RECOMMENDATIONS

Staff recommends approval.



Application updated January 2022

PLANNING & COMMUNITY DEVELOPMENT

REZONING APPLICATION

CITY OF FORT SMITH, ARKANSAS Rezoning

FOR STAFF USE ONLY

FEE: \$350

Date Application Submitted:

Zone:

Date Accepted as Complete:

Project Number:

Public Hearing Date:

Application:

Indicate one contact person for this request:

Applicant

Agent

Applicant (person making request):

Name: Tony Toth (Owner)
E-mail: ttoth@spfamerica.com

Agent (engineer, surveyor, realtor, etc.):

Name: Anderson Surveying
E-mail:

Address:

5510 S 66 St
FT Smith

Address:

Phone:

479-806-5518

Phone:

Fax:

Fax:

Site Address / Location:

801 South Zero Street

Current Zoning District:

C-5

Requested Zoning District:

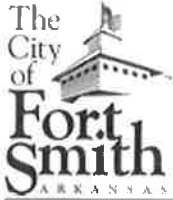
I-1

Assessor's Parcel Number(s) for property:

18883-0000-01847-00 and 18883-0000-01845-00

www.fortsmithar.gov/index.php/planning-zoning

623 Garrison Avenue, Rm 331
Fort Smith, AR 72901
479-784-2216 planning@fortsmithar.gov



Application updated January 2022

Total Acreage: 0.8

Legal Description of property:

Attach legal description in word format.

NO RESTRICTIONS APT

Restrictive Covenants Apply (attach to application)

Companion items:

Development Plan (\$100 when submitted with another application)

Master Land Use Plan Map Amendment (\$100 when submitted with a rezoning)

Note: Fees cover the administrative costs of advertising and notifying neighboring property owners. Fees are Non-Refundable.

Describe Proposed Zoning Request, including the development of any construction on the property:

A request to rezone the property from C-5 to I-1 to support a assembly of electrical components. The building will add new bay doors to the north for shipping and a bay door on the west for the fork lift operation. The existing gravel areas will also include new concrete slabs as shown on the plan.

PROPERTY OWNER(S) / AUTHORIZED REPRESENTATIVE: The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas, pursuant to Ordinance No. 3391 and Arkansas Statutes (1974) 19-2830. Once deemed completed, no modification may be made unless requested or agreed upon by the Planning Department. Should modification to the application be requested after advertising, it shall be at the discretion of the Planning Commission to review or continue. Re-advertising fee may apply.

I, the undersigned applicant, hereby certify that the information contained in this application is true and correct to the best of my knowledge and belief. I grant the appropriate City personnel permission to enter the subject property during reasonable hours so that they may investigate and review this application.

Name and Signature	Date
<i>[Signature]</i>	4/17/2025

LIST OF OWNERS OF ALL PROPERTY TO BE REZONED

List the names and addresses of all owners of property included within the area requested by this petition to be rezoned.

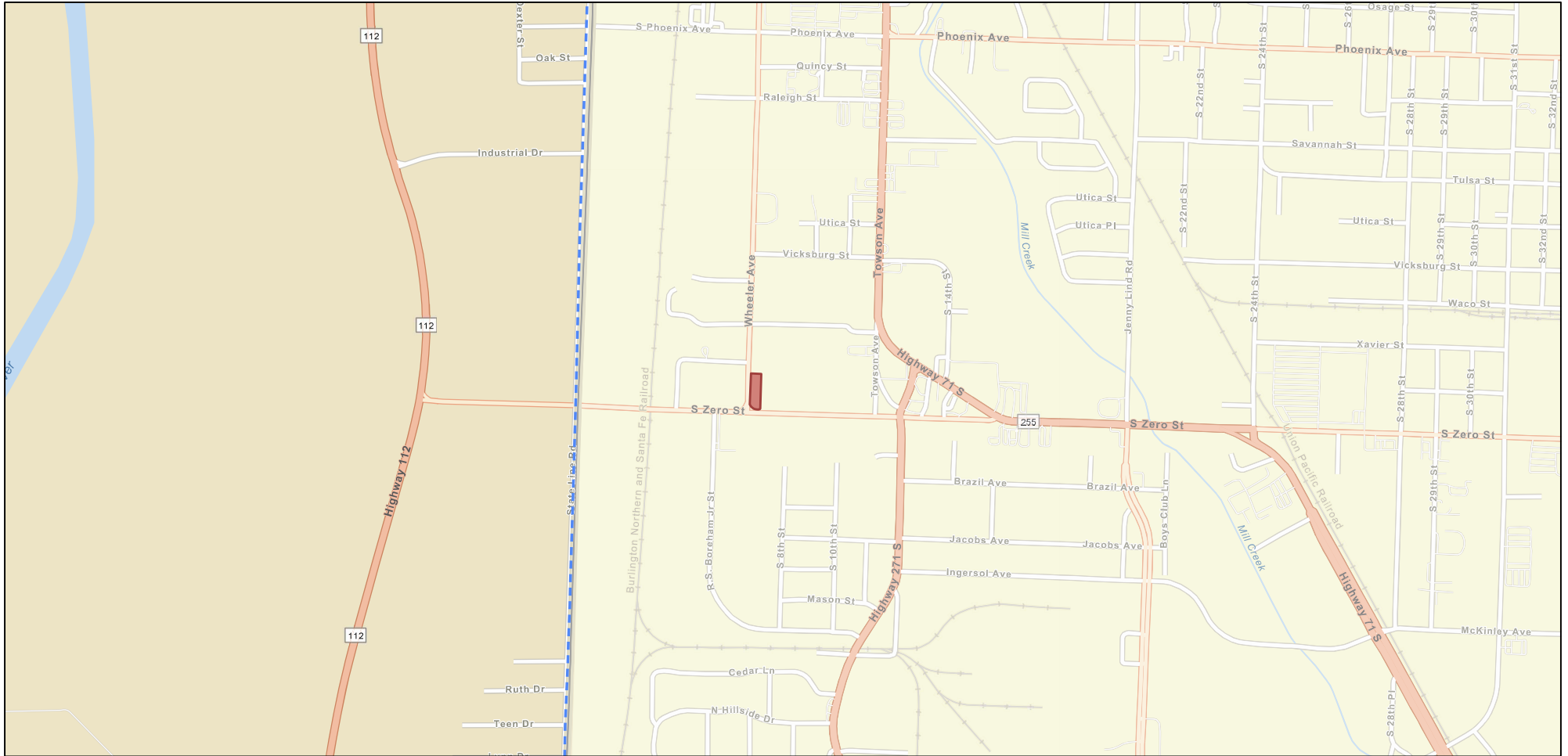
NAME

ADDRESS

TOTI HOLDINGS, LLC

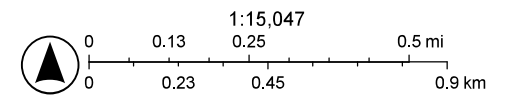
801 S. ZERO ST
FORT SMITH, AR 72901

Rezoning #8-2-25 – A request by Tony Toth, owner, for a zone change from Commercial Heavy (C-5) to Industrial Light (I-1) at 801 South Zero Street.



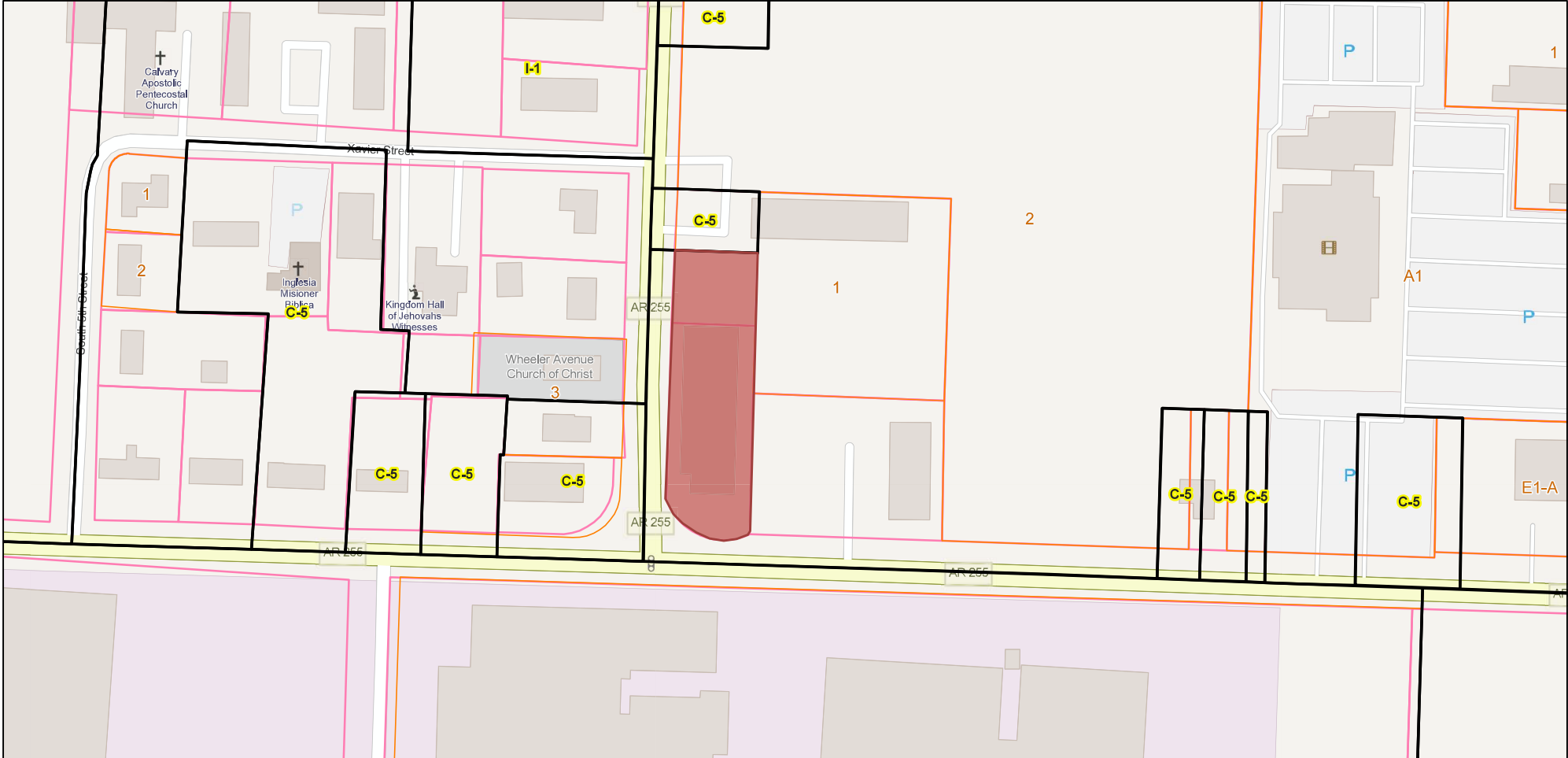
1/29/2025, 8:09:55 AM

 Fort Smith City Limits



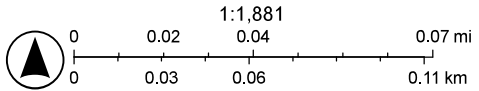
Esri Community Maps Contributors, Arkansas GIS Office, Texas Parks & Wildlife, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Rezoning #8-2-25 – A request by Tony Toth, owner, for a zone change from Commercial Heavy (C-5) to Industrial Light (I-1) at 801 South Zero Street.



1/29/2025, 8:06:17 AM

- Zoning
- Subdivisions
- Parcels
- Fort Smith City Limits



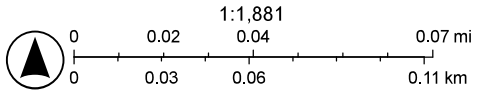
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Rezoning #8-2-25 – A request by Tony Toth, owner, for a zone change from Commercial Heavy (C-5) to Industrial Light (I-1) at 801 South Zero Street.



1/29/2025, 8:04:19 AM

- Subdivisions
- Fort Smith City Limits
- Parcels
- Road Label



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MEMORANDUM

TO: Jeff Dingman, Acting City Administrator
FROM: Rick Lolley, Chief Human Resources Officer
DATE: February 25, 2025
SUBJECT: Ordinance Establishing Pay Rates and Related Procedures for City Employees

SUMMARY

Attached is an annual ordinance establishing pay rates and related procedures for non-uniformed City employees, Civil Service (uniformed) employees of the Fire Department and Civil Service (uniformed) employees of the Police Department for the compensation year 2025.

The recommended payout method is an across-the-board market adjustment of 3.5% of the respective employee's base rate for all non-uniformed employees. The pay schedules for non-uniformed employees and for Civil Service (uniformed) employees of the Police Department for compensation year 2025 are the same as the respective 2024 pay schedules. The 2025 pay schedule for the Civil Service (uniformed) employees of the Fire Department for compensation year 2025 increased approximately 5% for all steps in all pay grades.

I recommend the Board of Directors approve the ordinance.

ATTACHMENTS

1. [3-4-2025_Item_ID_1487_Human_Resources Ordinance.pdf](#)
2. [3-4-2025 Item ID 1487 Human Resources.pdf](#)

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING PAY RATES AND RELATED PROCEDURES FOR CITY EMPLOYEES

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

SECTION 1: Pay Rates of Non-Uniformed Employees

- A. Effective April 14, 2025, non-uniformed employees shall be paid based on the pay grade ranges as shown in Appendix A for compensation year 2025. The compensation year is the period beginning on the first day of the first full pay period in April of the current year through the last day of the last full pay period that begins in March of the following year. The positions of City Administrator and Director, Internal Audit do not have pay grade ranges and will have their rate of pay determined annually by the Board of Directors.
- B. Effective April 14, 2025, all non-uniformed employees hired by the City on or after April 14, 2025 will be offered the minimum rate of the pay range associated with the grade of the position offered; however, with approval of the Chief Human Resources Officer and City Administrator, an applicant can be offered a different competitive market rate within the respective pay grade in an effort to hire highly qualified individuals.
- C. Effective April 14, 2025, all city employees within their salary grade will receive a market adjustment increase of 3.5% to their base pay. For non-uniformed employees at or above the maximum salary of the grade, a one-time market adjustment payment (lump sum) of 3.5 %, that will not become part of the employee's base pay, will be granted.
- D. Performance evaluations will continue through 2025.

SECTION 2: Pay Rates of Civil Service (uniformed) Employees of the Fire Department

- A. Effective April 14, 2025, Civil Service (uniformed) employees of the Fire Department shall be paid based on the rate of pay as set forth in Appendix B for compensation year 2025. The compensation year is the period beginning on the first day of the first full pay period in April of the current year through the last day of the last full pay period that begins in March of the following year. Employees hired or promoted in January, February or March in any given year will receive their step raise under the 2024 pay scale during these months. These employees will receive any applicable pay step adjustment effective April 14, 2025.
- B. Effective April 14, 2025, all Civil Service (uniformed) Probationary Firefighters hired by

the City on or after April 14, 2025 shall initially be placed at the Entry Level (Grade F1; Step 1) of the pay schedule.

- C. Internal transfers (with previous Fort Smith Fire Department experience), rehires and newly hired firefighters holding a current state firefighter certification with verifiable fire suppression experience (highly qualified applicants) shall be eligible for pay above the Entry Level but not to exceed Grade F1; Step 6. Such highly qualified applicants may be offered a different competitive market rate within the F1 pay grade in an effort to hire highly qualified individuals. Such exceptions, above the Entry Level starting pay, for highly qualified applicants, requires approval of the Chief Human Resources Officer and City Administrator.
- D. On April 14, 2025, eligible uniformed Fire Department employees within their pay grade will receive a 1 step increase on their hire date, or promotion anniversary date (when applicable), based upon tenure in their current position if the step is available. Advancement to each step subsequent to Step 1 (Entry Level) requires an overall satisfactory rating on their current performance evaluation.
- E. Performance evaluations will continue through 2025.

SECTION 3: Pay Rates of Civil Service (uniformed) Employees of the Police Department

- A. Effective April 14, 2025, Civil Service (uniformed) employees of the Police Department shall be paid based on the rate of pay as set forth in Appendix C for compensation year 2025. The compensation year is the period beginning on the first day of the first full pay period in April of the current year through the last day of the last full pay period that begins in March of the following year. Employees hired or promoted in January, February or March in any given year will receive their step raise under the 2024 pay scale during these months.
- B. Effective April 14, 2025, all Civil Service (uniformed) Police Officers hired by the City on or after April 14, 2025 shall initially be placed at the Entry Level (Grade P1; Step 1) of the Pay Schedule.
- C. Internal transfers (with previous Fort Smith Police Department experience), rehires and newly hired police officers holding a current state law enforcement certification with verifiable law enforcement experience (highly qualified applicants) shall be eligible for pay above the Entry Level but not to exceed Grade P1; Step 10. Such highly qualified applicants may be offered a different competitive market rate within the P1 pay grade in an effort to hire highly qualified individuals. Such exceptions, above the Entry Level starting pay, for highly qualified applicants, requires approval of the Chief Human Resources Officer and City Administrator.
- D. On April 14, 2025, eligible uniformed Police Department employees within their pay grade will receive a 1 step increase on their hire date, or promotion anniversary date (when applicable), based upon tenure in their current position if the step is available. Advancement to each step subsequent to Step 1 (Entry Level) requires an overall satisfactory rating on their current performance evaluation.

E. Performance evaluations will continue through 2025.

SECTION 4: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

PASSED AND APPROVED THIS _____ day of _____, 2025.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to form:



City Attorney

No publication required

**City of Fort Smith
Non-Uniform
Pay Schedule - 2025
(effective: 04/14/2025)**

	<u>Entry</u>	<u>Midpoint</u>	<u>Maximum</u>
Grade 30			
Annual	\$ 31,200.00	\$ 39,000.00	\$ 46,800.00
Bi-Weekly	\$ 1,200.00	\$ 1,500.00	\$ 1,800.00
Hourly	\$ 15.00	\$ 18.75	\$ 22.50
Grade 31			
Annual	\$ 33,321.60	\$ 41,662.40	\$ 49,982.40
Bi-Weekly	\$ 1,281.60	\$ 1,602.40	\$ 1,922.40
Hourly	\$ 16.02	\$ 20.03	\$ 24.03
Grade 32			
Annual	\$ 35,443.20	\$ 44,304.00	\$ 53,185.60
Bi-Weekly	\$ 1,363.20	\$ 1,704.00	\$ 2,045.60
Hourly	\$ 17.04	\$ 21.30	\$ 25.57
Grade 33			
Annual	\$ 37,585.60	\$ 46,966.40	\$ 56,368.00
Bi-Weekly	\$ 1,445.60	\$ 1,806.40	\$ 2,168.00
Hourly	\$ 18.07	\$ 22.58	\$ 27.10
Grade 34			
Annual	\$ 39,707.20	\$ 49,628.80	\$ 59,550.40
Bi-Weekly	\$ 1,527.20	\$ 1,908.80	\$ 2,290.40
Hourly	\$ 19.09	\$ 23.86	\$ 28.63
Grade 35			
Annual	\$ 41,828.80	\$ 52,291.20	\$ 62,732.80
Bi-Weekly	\$ 1,608.80	\$ 2,011.20	\$ 2,412.80
Hourly	\$ 20.11	\$ 25.14	\$ 30.16
Grade 36			
Annual	\$ 43,950.40	\$ 54,932.80	\$ 65,936.00
Bi-Weekly	\$ 1,690.40	\$ 2,112.80	\$ 2,536.00
Hourly	\$ 21.13	\$ 26.41	\$ 31.70
Grade 37			
Annual	\$ 46,072.00	\$ 57,595.20	\$ 69,118.40
Bi-Weekly	\$ 1,772.00	\$ 2,215.20	\$ 2,658.40
Hourly	\$ 22.15	\$ 27.69	\$ 33.23
Grade 38			
Annual	\$ 48,193.60	\$ 60,257.60	\$ 72,300.80
Bi-Weekly	\$ 1,853.60	\$ 2,317.60	\$ 2,780.80
Hourly	\$ 23.17	\$ 28.97	\$ 34.76

	<u>Entry</u>	<u>Midpoint</u>	<u>Maximum</u>
Grade 39			
Annual	\$ 50,336.00	\$ 62,899.20	\$ 75,483.20
Bi-Weekly	\$ 1,936.00	\$ 2,419.20	\$ 2,903.20
Hourly	\$ 24.20	\$ 30.24	\$ 36.29
Grade 40			
Annual	\$ 53,518.40	\$ 66,892.80	\$ 80,267.20
Bi-Weekly	\$ 2,058.40	\$ 2,572.80	\$ 3,087.20
Hourly	\$ 25.73	\$ 32.16	\$ 38.59
Grade 41			
Annual	\$ 57,761.60	\$ 72,196.80	\$ 86,652.80
Bi-Weekly	\$ 2,221.60	\$ 2,776.80	\$ 3,332.80
Hourly	\$ 27.77	\$ 34.71	\$ 41.66
Grade 42			
Annual	\$ 62,004.80	\$ 77,521.60	\$ 93,017.60
Bi-Weekly	\$ 2,384.80	\$ 2,981.60	\$ 3,577.60
Hourly	\$ 29.81	\$ 37.27	\$ 44.72
Grade 43			
Annual	\$ 66,268.80	\$ 82,825.60	\$ 99,403.20
Bi-Weekly	\$ 2,548.80	\$ 3,185.60	\$ 3,823.20
Hourly	\$ 31.86	\$ 39.82	\$ 47.79
Grade 44			
Annual	\$ 70,512.00	\$ 88,150.40	\$ 105,768.00
Bi-Weekly	\$ 2,712.00	\$ 3,390.40	\$ 4,068.00
Hourly	\$ 33.90	\$ 42.38	\$ 50.85
Grade 45			
Annual	\$ 74,776.00	\$ 93,454.40	\$ 112,153.60
Bi-Weekly	\$ 2,876.00	\$ 3,594.40	\$ 4,313.60
Hourly	\$ 35.95	\$ 44.93	\$ 53.92
Grade 46			
Annual	\$ 79,019.20	\$ 98,779.20	\$ 118,518.40
Bi-Weekly	\$ 3,039.20	\$ 3,799.20	\$ 4,558.40
Hourly	\$ 37.99	\$ 47.49	\$ 56.98
Grade 47			
Annual	\$ 83,262.40	\$ 104,083.20	\$ 124,904.00
Bi-Weekly	\$ 3,202.40	\$ 4,003.20	\$ 4,804.00
Hourly	\$ 40.03	\$ 50.04	\$ 60.05

	<u>Entry</u>	<u>Midpoint</u>	<u>Maximum</u>
Grade 48			
Annual	\$ 87,526.40	\$ 109,387.20	\$ 131,268.80
Bi-Weekly	\$ 3,366.40	\$ 4,207.20	\$ 5,048.80
Hourly	\$ 42.08	\$ 52.59	\$ 63.11
Grade 49			
Annual	\$ 91,769.60	\$ 114,712.00	\$ 137,654.40
Bi-Weekly	\$ 3,529.60	\$ 4,412.00	\$ 5,294.40
Hourly	\$ 44.12	\$ 55.15	\$ 66.18
Grade 50			
Annual	\$ 96,012.80	\$ 120,016.00	\$ 144,019.20
Bi-Weekly	\$ 3,692.80	\$ 4,616.00	\$ 5,539.20
Hourly	\$ 46.16	\$ 57.70	\$ 69.24
Grade 51			
Annual	\$ 100,276.80	\$ 125,340.80	\$ 150,404.80
Bi-Weekly	\$ 3,856.80	\$ 4,820.80	\$ 5,784.80
Hourly	\$ 48.21	\$ 60.26	\$ 72.31
Grade 52			
Annual	\$ 104,520.00	\$ 130,644.80	\$ 156,769.60
Bi-Weekly	\$ 4,020.00	\$ 5,024.80	\$ 6,029.60
Hourly	\$ 50.25	\$ 62.81	\$ 75.37
Grade 53			
Annual	\$ 108,763.20	\$ 135,969.60	\$ 163,155.20
Bi-Weekly	\$ 4,183.20	\$ 5,229.60	\$ 6,275.20
Hourly	\$ 52.29	\$ 65.37	\$ 78.44

(Annual Amount based on 2080 hours per year)
(Bi-Weekly Amount based on 40 hours per week)

**City of Fort Smith
Uniform - Fire Department
Pay Schedule - 2025**
(effective: 04/14/2025)

Rank / Designation	Grade	Rate	<i>(Entry)</i>					
			Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Probationary Firefighter & Firefighter *	F1	Hourly	\$14.44	\$15.16	\$15.92	\$16.72	\$17.56	\$18.44
		Annual	\$43,803.74	\$45,987.86	\$48,293.32	\$50,720.12	\$53,268.26	\$55,937.74
Driver *	F2	Hourly	\$19.82	\$20.81	\$21.85			
		Annual	\$60,123.97	\$63,127.14	\$66,281.98			
Captain * (non-exempt / hourly)	F3	Hourly	\$23.49	\$24.66	\$25.89			
		Annual	\$71,256.92	\$74,806.11	\$78,537.32			
Captain (exempt / salary)	F4	Bi-Weekly	\$2,740.65	\$2,877.16	\$3,020.67			
		Annual	\$71,256.92	\$74,806.11	\$78,537.32			
Fire Marshal & Training Officer	F5	Bi-Weekly	\$3,126.39	\$3,282.71	\$3,446.84			
		Annual	\$81,286.13	\$85,350.44	\$89,617.96			
Battalion Chief	F5_1	Bi-Weekly	\$3,126.39	\$3,282.71	\$3,446.84			
		Annual	\$81,286.13	\$85,350.44	\$89,617.96			
Division Chief	F6	Bi-Weekly	\$3,705.36	\$3,890.63				
		Annual	\$96,339.31	\$101,156.28				
Assistant Chief	F7	Bi-Weekly	\$4,371.12	\$4,589.67				
		Annual	\$113,649.08	\$119,331.53				

* Amount based on 2912 hours per year (243 hours overtime + 2,669 hours straight time)

All Step amounts include pay for holidays

**City of Fort Smith
Uniform - Police Department
Pay Schedule - 2025**
(effective: 04/14/2025)

Rank / Designation	Grade	Rate	<i>(Entry)</i>						
			Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Police Officer/ Corporal *	P1	Hourly	\$ 24.04	\$ 24.64	\$ 25.26	\$ 25.89	\$ 26.54	\$ 27.21	\$ 27.89
		Annual	\$ 50,003.20	\$ 51,251.20	\$ 52,540.80	\$ 53,851.20	\$ 55,203.20	\$ 56,596.80	\$ 58,011.20
			Step 8	Step 9	Step 10				
	Hourly	\$ 28.58	\$ 29.30	\$ 30.03					
	Annual	\$ 59,446.40	\$ 60,944.00	\$ 62,462.40					
Sergeant *	P2	Hourly	<i>(Entry)</i>		Step 3	Step 4	Step 5		
		Annual	Step 1	Step 2	\$ 74,172.80	\$ 76,024.00	\$ 77,916.80		
			Step 1	Step 2	Step 3	Step 4			
Lieutenant *	P3	Hourly	\$ 40.28	\$ 41.29	\$ 42.32	\$ 43.38			
		Annual	\$ 83,782.40	\$ 85,883.20	\$ 88,025.60	\$ 90,230.40			
Captain	P4	Bi-Weekly	<i>(Entry)</i>		Step 3	Step 4			
		Annual	Step 1	Step 2	\$ 99,538.23	\$ 102,026.69			
			Step 1	Step 2	Step 3	Step 4			
Deputy Chief	P5	Bi-Weekly	\$ 4,120.31	\$ 4,223.32	\$ 4,328.90				
		Annual	\$ 107,128.02	\$ 109,806.22	\$ 112,551.38				

*Amount based on 2080 hours per year
(All steps include pay for holidays)

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE 2025 OPERATING BUDGET AND AUTHORIZING THE APPROPRIATION OF FUNDS FOR A MARKET ADJUSTMENT TO ALL NON-UNIFORM PERSONNEL AND UNIFORM FIRE DEPARTMENT EMPLOYEES

WHEREAS, the Board of Directors approved the 2025 Operating Budget with Ordinance 125-24; and

WHEREAS, the City of Fort Smith Finance Department finds it necessary to amend the budget to include an across-the-board market adjustment of 3.5% for all non-uniformed employees totaling \$1,070,585.

WHEREAS, the City of Fort Smith Finance Department finds it necessary to amend the budget to include an approximate market adjustment of 5% for all the uniformed employees of the Fire Department, totaling \$333,195.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS THAT

There is hereby authorized an amendment to the 2025 Operating Budget to appropriate funds, as follows:

Account		Current Budget	Adjustment	Revised Budget
Expenditures				
01016550-500000	Salaries - Misc Regular	\$ 1,681,197	\$ 41,838	\$ 1,723,035
01016550-506000	Retirement - Misc	120,363	2,858	123,221
01016550-510100	Social Security	100,069	2,594	102,663
01016550-510200	SS - Medicare	23,416	607	24,023
01016550-515000	Workers Compensation	10,790	171	10,961
11140101-500000	Salaries - Misc Regular	77,440	2,494	79,934
11140101-506000	Retirement - Misc	2,800	89	2,889
11140101-510100	Social Security	-	155	155
11140101-510200	SS - Medicare	-	36	36
11140101-515000	Workers Compensation	-	10	10
41000101-500000	Salaries - Misc Regular	85,241	1,450	86,691
41000101-506000	Retirement - Misc	3,867	102	3,969
41000101-510100	Social Security	5,747	90	5,837
41000101-510200	SS - Medicare	1,345	21	1,366
41000101-515000	Workers Compensation	474	6	480
41020101-500000	Salaries - Misc Regular	653,595	12,248	665,843
41020101-506000	Retirement - Misc	53,255	834	54,089
41020101-510100	Social Security	40,601	759	41,360
41020101-510200	SS - Medicare	10,204	178	10,382
41020101-515000	Workers Compensation	1,185	50	1,235
41030101-500000	Salaries - Misc Regular	1,281,285	25,206	1,306,491
41030101-506000	Retirement - Misc	92,605	1,764	94,369
41030101-510100	Social Security	78,567	1,563	80,130
41030101-510200	SS - Medicare	18,383	365	18,748
41030101-515000	Workers Compensation	4,501	103	4,604
41040101-500000	Salaries - Misc Regular	539,628	14,165	553,793
41040101-506000	Retirement - Misc	40,001	992	40,993
41040101-510100	Social Security	32,777	878	33,655
41040101-510200	SS - Medicare	7,668	205	7,873
41040101-515000	Workers Compensation	6,558	58	6,616
41050101-500000	Salaries - Misc Regular	213,841	5,613	219,454
41050101-506000	Retirement - Misc	17,034	393	17,427
41050101-510100	Social Security	14,019	348	14,367
41050101-510200	SS - Medicare	3,279	81	3,360

<u>Account</u>		Current		Revised
		Budget	Adjustment	Budget
Expenditures				
41050101-515000	Workers Compensation	\$ 711	\$ 23	\$ 734
41060101-500000	Salaries - Misc Regular	697,499	16,681	714,180
41060101-506000	Retirement - Misc	50,919	1,168	52,087
41060101-510100	Social Security	43,254	1,034	44,288
41060101-510200	SS - Medicare	10,120	242	10,362
41060101-515000	Workers Compensation	2,606	68	2,674
41080101-500000	Salaries - Misc Regular	875,600	22,984	898,584
41080101-506000	Retirement - Misc	63,922	1,609	65,531
41080101-510100	Social Security	53,757	1,425	55,182
41080101-510200	SS - Medicare	12,578	333	12,911
41080101-515000	Workers Compensation	3,316	94	3,410
42010000-500000	Salaries - Misc Regular	1,003,614	25,302	1,028,916
42010000-506000	Retirement - Misc	81,767	1,771	83,538
42010000-510100	Social Security	59,998	1,569	61,567
42010000-510200	SS - Medicare	14,040	367	14,407
42010000-515000	Workers Compensation	4,738	103	4,841
42020000-500000	Salaries - Misc Regular	172,490	4,568	177,058
42020000-506000	Retirement - Misc	12,881	288	13,169
42020000-510100	Social Security	10,900	283	11,183
42020000-510200	SS - Medicare	2,551	66	2,617
42020000-515000	Workers Compensation	711	19	730
42060101-500000	Salaries - Misc Regular	41,829	1,098	42,927
42060101-506000	Retirement - Misc	2,929	77	3,006
42060101-510100	Social Security	2,465	68	2,533
42060101-510200	SS - Medicare	577	16	593
42060101-515000	Workers Compensation	237	4	241
43010101-500000	Salaries - Misc Regular	1,054,945	25,507	1,080,452
43010101-506000	Retirement - Misc	76,623	1,785	78,408
43010101-510100	Social Security	64,698	1,581	66,279
43010101-510200	SS - Medicare	15,137	370	15,507
43010101-515000	Workers Compensation	3,653	104	3,757
43060101-500000	Salaries - Misc Regular	188,696	2,702	191,398
43060101-506000	Retirement - Misc	13,474	189	13,663
43060101-510100	Social Security	11,713	168	11,881
43060101-510200	SS - Medicare	2,740	39	2,779
43060101-515000	Workers Compensation	811	11	822
44010101-500000	Salaries - Misc Regular	1,440,816	37,494	1,478,310
44010101-506000	Retirement - Misc	105,613	2,625	108,238
44010101-510100	Social Security	89,481	2,325	91,806
44010101-510200	SS - Medicare	20,935	544	21,479
44010101-515000	Workers Compensation	4,501	153	4,654
44050101-500000	Salaries - Misc Regular	336,752	4,580	341,332
44050101-506000	Retirement - Misc	25,394	321	25,715
44050101-510100	Social Security	20,112	284	20,396
44050101-510200	SS - Medicare	4,706	66	4,772
44050101-515000	Workers Compensation	1,185	19	1,204
44070101-500000	Salaries - Misc Regular	177,144	4,650	181,794
44070101-506000	Retirement - Misc	13,108	326	13,434
44070101-510100	Social Security	10,898	288	11,186
44070101-510200	SS - Medicare	2,549	67	2,616
44070101-515000	Workers Compensation	237	19	256
44080101-500000	Salaries - Misc Regular	66,977	1,758	68,735
44080101-506000	Retirement - Misc	5,193	123	5,316
44080101-510100	Social Security	4,406	109	4,515
44080101-510200	SS - Medicare	1,031	25	1,056
44080101-515000	Workers Compensation	237	7	244

Account		Current Budget	Adjustment	Revised Budget
Expenditures				
45010101-500000	Salaries - Misc Regular	\$ 110,000	\$ 2,961	\$ 112,961
45010101-506000	Retirement - Misc	9,413	207	9,620
45010101-510100	Social Security	7,259	184	7,443
45010101-510200	SS - Medicare	1,698	43	1,741
45010101-515000	Workers Compensation	237	12	249
47010101-500000	Salaries - Misc Regular	512,289	12,461	524,750
47010101-506000	Retirement - Misc	38,850	872	39,722
47010101-510100	Social Security	31,262	773	32,035
47010101-510200	SS - Medicare	14,176	181	14,357
47010101-515000	Workers Compensation	13,541	51	13,592
47020101-500000	Salaries - Misc Regular	440,414	10,296	450,710
47020101-506000	Retirement - Misc	25,895	583	26,478
47020101-510100	Social Security	26,872	638	27,510
47020101-510200	SS - Medicare	15,110	149	15,259
47020101-515000	Workers Compensation	20,018	42	20,060
47030101-500000	Salaries - Misc Regular	156,438	4,106	160,544
47030101-506000	Retirement - Misc	11,127	287	11,414
47030101-510100	Social Security	9,230	255	9,485
47030101-510200	SS - Medicare	27,598	60	27,658
47030101-515000	Workers Compensation	31,453	17	31,470
47070101-500000	Salaries - Misc Regular	295,323	6,710	302,033
47070101-506000	Retirement - Misc	20,866	470	21,336
47070101-510100	Social Security	17,701	416	18,117
47070101-510200	SS - Medicare	4,144	97	4,241
47070101-515000	Workers Compensation	5,822	27	5,849
47080101-500000	Salaries - Misc Regular	1,279,545	28,993	1,308,538
47080101-506000	Retirement - Misc	91,350	2,030	93,380
47080101-510100	Social Security	76,200	1,798	77,998
47080101-510200	SS - Medicare	17,833	420	18,253
47080101-515000	Workers Compensation	27,769	118	27,887
48010101-500000	Salaries - Misc Regular	220,211	5,781	225,992
48010101-500500	Salaries - Uniform Regular	517,328	14,320	531,648
48010101-506000	Retirement - Misc	16,681	405	17,086
48010101-510100	Social Security	13,000	358	13,358
48010101-510200	SS - Medicare	9,046	292	9,338
48010101-515000	Workers Compensation	13,632	624	14,256
48020101-500500	Salaries - Uniform Regular	7,394,180	294,332	7,688,512
48020101-510200	SS - Medicare	132,433	4,268	136,701
48020101-515000	Workers Compensation	186,234	12,333	198,567
48040101-500500	Salaries - Uniform Regular	177,503	6,754	184,257
48040101-510200	SS - Medicare	2,597	98	2,695
48040101-515000	Workers Compensation	3,074	283	3,357
55200101-500000	Salaries - Misc Regular	1,135,108	29,796	1,164,904
55200101-506000	Retirement - Misc	80,741	2,086	82,827
55200101-510100	Social Security	68,036	1,847	69,883
55200101-510200	SS - Medicare	15,924	432	16,356
55200101-515000	Workers Compensation	8,459	122	8,581
62010101-500000	Salaries - Misc Regular	1,141,822	24,793	1,166,615
62010101-506000	Retirement - Misc	76,185	1,736	77,921
62010101-510100	Social Security	69,224	1,537	70,761
62010101-510200	SS - Medicare	16,212	359	16,571
62010101-515000	Workers Compensation	40,796	101	40,897
62020101-500000	Salaries - Misc Regular	141,796	2,903	144,699
62020101-506000	Retirement - Misc	7,742	203	7,945
62020101-510100	Social Security	8,751	180	8,931

Account		Current Budget	Adjustment	Revised Budget
Expenditures				
62020101-510200	SS - Medicare	\$ 2,049	\$ 42	\$ 2,091
62020101-515000	Workers Compensation	6,048	12	6,060
62040101-500000	Salaries - Misc Regular	124,073	2,643	126,716
62040101-506000	Retirement - Misc	5,608	142	5,750
62040101-510100	Social Security	7,584	164	7,748
62040101-510200	SS - Medicare	1,776	38	1,814
62040101-515000	Workers Compensation	4,611	11	4,622
62060101-500000	Salaries - Misc Regular	293,776	4,346	298,122
62060101-506000	Retirement - Misc	13,490	261	13,751
62060101-510100	Social Security	17,564	269	17,833
62060101-510200	SS - Medicare	4,113	63	4,176
62060101-515000	Workers Compensation	13,226	18	13,244
Appropriation of General Fund Balance:		\$ 777,032		

Account		Current Budget	Adjustment	Revised Budget
Expenditures				
51011101-500000	Salaries - Misc Regular	\$ 428,062	\$ 11,223	\$ 439,285
51011101-506000	Retirement - Misc	32,271	786	33,057
51011101-510100	Social Security	26,204	696	26,900
51011101-510200	SS - Medicare	6,130	162	6,292
51011101-515000	Workers Compensation	6,122	46	6,168
53021101-500000	Salaries - Misc Regular	448,393	8,832	457,225
53021101-506000	Retirement - Misc	29,786	618	30,404
53021101-510100	Social Security	26,792	548	27,340
53021101-510200	SS - Medicare	6,267	128	6,395
53021101-515000	Workers Compensation	8,095	36	8,131
53031101-500000	Salaries - Misc Regular	921,614	15,931	937,545
53031101-506000	Retirement - Misc	54,555	1,115	55,670
53031101-510100	Social Security	54,506	988	55,494
53031101-510200	SS - Medicare	12,759	231	12,990
53031101-515000	Workers Compensation	17,227	65	17,292
53041101-500000	Salaries - Misc Regular	720,366	16,135	736,501
53041101-506000	Retirement - Misc	45,953	1,129	47,082
53041101-510100	Social Security	43,068	1,000	44,068
53041101-510200	SS - Medicare	10,080	234	10,314
53041101-515000	Workers Compensation	17,227	66	17,293
53051101-500000	Salaries - Misc Regular	487,453	12,613	500,066
53051101-506000	Retirement - Misc	34,225	883	35,108
53051101-510100	Social Security	29,697	782	30,479
53051101-510200	SS - Medicare	6,950	183	7,133
53051101-515000	Workers Compensation	12,143	52	12,195
54011101-500000	Salaries - Misc Regular	697,703	15,600	713,303
54011101-506000	Retirement - Misc	47,259	1,092	48,351
54011101-510100	Social Security	41,220	967	42,187
54011101-510200	SS - Medicare	9,645	226	9,871
54011101-515000	Workers Compensation	16,190	64	16,254
Appropriation of Street Maintenance Fund Balance:		\$ 92,431		

Account		Current Budget	Adjustment	Revised Budget
Expenditures				
63012104-500000	Salaries - Misc Regular	\$ 633,941	\$ 11,270	\$ 645,211
63012104-506000	Retirement - Misc	48,542	789	49,331
63012104-510100	Social Security	38,959	699	39,658
63012104-510200	SS - Medicare	9,116	164	9,280
63012104-515000	Workers Compensation	26,132	46	26,178
63022104-500000	Salaries - Misc Regular	1,492,670	38,779	1,531,449
63022104-506000	Retirement - Misc	104,987	2,714	107,701

Account		Current Budget	Adjustment	Revised Budget
Expenditures				
63022104-510100	Social Security	\$ 88,916	\$ 2,404	\$ 91,320
63022104-510200	SS - Medicare	20,805	562	21,367
63022104-515000	Workers Compensation	98,654	158	98,812
63032104-500000	Salaries - Misc Regular	555,153	13,642	568,795
63032104-506000	Retirement - Misc	38,954	955	39,909
63032104-510100	Social Security	33,296	846	34,142
63032104-510200	SS - Medicare	7,791	198	7,989
63032104-515000	Workers Compensation	31,906	56	31,962
63042104-500000	Salaries - Misc Regular	713,064	18,362	731,426
63042104-506000	Retirement - Misc	48,552	1,285	49,837
63042104-510100	Social Security	42,382	1,138	43,520
63042104-510200	SS - Medicare	9,918	266	10,184
63042104-515000	Workers Compensation	46,490	75	46,565
63052104-500000	Salaries - Misc Regular	915,466	22,974	938,440
63052104-506000	Retirement - Misc	64,392	1,608	66,000
63052104-510100	Social Security	53,366	1,424	54,790
63052104-510200	SS - Medicare	12,489	333	12,822
63052104-515000	Workers Compensation	52,264	94	52,358
63072104-500000	Salaries - Misc Regular	475,075	12,471	487,546
63072104-506000	Retirement - Misc	33,480	873	34,353
63072104-510100	Social Security	27,814	773	28,587
63072104-510200	SS - Medicare	6,510	181	6,691
63072104-515000	Workers Compensation	31,906	51	31,957
63082104-500000	Salaries - Misc Regular	48,194	1,265	49,459
63082104-506000	Retirement - Misc	3,610	89	3,699
63082104-510100	Social Security	3,016	78	3,094
63082104-510200	SS - Medicare	706	18	724
63082104-515000	Workers Compensation	2,937	5	2,942
Appropriation of Solid Waste Fund Balance:				\$ 136,645

Account		Current Budget	Adjustment	Revised Budget
Expenditures				
55012101-500000	Salaries - Misc Regular	\$ 976,338	\$ 21,365	997,703
55012101-506000	Retirement - Misc	71,871	1,496	73,367
55012101-510100	Social Security	61,152	1,325	62,477
55012101-510200	SS - Medicare	14,307	310	14,617
55012101-515000	Workers Compensation	3,943	87	4,030
55212101-500000	Salaries - Misc Regular	776,515	21,495	798,010
55212101-506000	Retirement - Misc	55,628	1,505	57,133
55212101-510100	Social Security	46,547	1,333	47,880
55212101-510200	SS - Medicare	10,895	312	11,207
55212101-515000	Workers Compensation	5,484	88	5,572
55222101-500000	Salaries - Misc Regular	362,681	9,520	372,201
55222101-506000	Retirement - Misc	25,416	666	26,082
55222101-510100	Social Security	21,682	590	22,272
55222101-510200	SS - Medicare	5,075	138	5,213
55222101-515000	Workers Compensation	2,934	39	2,973
55232101-500000	Salaries - Misc Regular	1,500,891	35,587	1,536,478
55232101-506000	Retirement - Misc	106,973	2,491	109,464
55232101-510100	Social Security	91,155	2,206	93,361
55232101-510200	SS - Medicare	21,328	516	21,844
55232101-515000	Workers Compensation	7,483	145	7,628
55242101-500000	Salaries - Misc Regular	442,299	8,578	450,877
55242101-506000	Retirement - Misc	31,373	600	31,973
55242101-510100	Social Security	26,226	532	26,758
55242101-510200	SS - Medicare	6,137	124	6,261

Account		Current Budget	Adjustment	Revised Budget
Expenditures				
55242101-515000	Workers Compensation	\$ 2,267	\$ 35	\$ 2,302
55560400-500000	Salaries - Misc Regular	1,025,362	25,831	1,051,193
55560400-506000	Retirement - Misc	70,454	1,808	72,262
55560400-510100	Social Security	61,414	1,602	63,016
55560400-510200	SS - Medicare	14,370	375	14,745
55560400-515000	Workers Compensation	7,785	105	7,890
56100000-500000	Salaries - Misc Regular	3,272,072	76,344	3,348,416
56100000-506000	Retirement - Misc	230,256	5,344	235,600
56100000-510100	Social Security	194,203	4,733	198,936
56100000-510200	SS - Medicare	45,444	1,107	46,551
56100000-515000	Workers Compensation	24,501	312	24,813
56110000-500000	Salaries - Misc Regular	1,960,141	52,238	2,012,379
56110000-506000	Retirement - Misc	138,024	3,657	141,681
56110000-510100	Social Security	115,771	3,239	119,010
56110000-510200	SS - Medicare	27,093	757	27,850
56110000-515000	Workers Compensation	14,896	213	15,109
56252101-500000	Salaries - Misc Regular	1,078,866	27,041	1,105,907
56252101-506000	Retirement - Misc	77,345	1,893	79,238
56252101-510100	Social Security	65,928	1,677	67,605
56252101-510200	SS - Medicare	15,430	392	15,822
56252101-515000	Workers Compensation	7,111	110	7,221
56260000-500000	Salaries - Misc Regular	1,635,089	33,213	1,668,302
56260000-506000	Retirement - Misc	114,901	2,325	117,226
56260000-510100	Social Security	96,617	2,059	98,676
56260000-510200	SS - Medicare	22,608	482	23,090
56260000-515000	Workers Compensation	11,290	136	11,426
56560300-500000	Salaries - Misc Regular	1,472,813	34,486	1,507,299
56560300-506000	Retirement - Misc	99,557	2,331	101,888
56560300-510100	Social Security	88,209	2,138	90,347
56560300-510200	SS - Medicare	20,641	500	21,141
56560300-515000	Workers Compensation	10,043	141	10,184
Appropriation of Water and Sewer Operations Fund:		\$	397,672	

PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

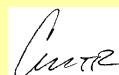
APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to form:



City Attorney



MEMORANDUM

TO: Jeff Dingman, Acting City Administrator
CC: Maggie Rice, Deputy City Administrator
FROM: Andrew Richards, Chief Financial Officer
DATE: February 26, 2025
SUBJECT: Ordinance amending the 2025 Operating Budget and appropriating funds for 2024 Carryovers

SUMMARY

In accordance with the City's Fiscal Policies adopted via Ordinance No. 79-19, all appropriations lapse at year-end. Any encumbrances at year-end may be reappropriated by the Board of Directors in the subsequent year. In December 2024, all departments were required to collect and submit their Carryforward and Carryover requests along with explanations of the circumstances necessitating the need to roll these requests into the 2025 Budget. Carryforwards (Encumbrances) are legal obligations that the department entered into in 2024, but the service/item was not delivered by December 31, 2024. The Board reappropriated these encumbrances for spending in 2025 via ordinance on February 21, 2025.

Carryovers are requested when objectives are not finished due to various reasons/circumstances or if another need can be met with remaining budget balances. Carryovers are a request to use available budgets from the prior fiscal year that were not obligated via contract or purchase order.

The Board tabled appropriating funds for these carryover requests at the February 21, 2025, meeting and further discussed these carryover requests at the February 25, 2025, study session. Directors Rego and Martin placed the ordinance on March 4, 2025 regular meeting agenda at the February 25, 2025 study session.

The total amount of carryovers is \$3,466,052 as outlined in Attachment A. The list has been modified to eliminate some items on the original list presented at the February 21, 2025 Board meeting. In some cases, carryover requests are also committed by a signed contract or agreement. The list notes which items also include these commitments.

Should you have any questions or require more information, please let me know.

ATTACHMENTS

1. [03-04-25_Item_1655_-_Finance_Ordinance.pdf](#)
2. [Copy of 2024 Carryforward and Carry Over Request_Final_NEW allocations_SB.pdf](#)

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE 2025 OPERATING BUDGET AND APPROPRIATING FUNDS FOR 2024 CARRYOVERS

WHEREAS, the Board of Directors approved the 2025 Operating Budget with Ordinance 125-24; and

WHEREAS, the City of Fort Smith Finance Department finds it necessary to amend the budget to add 2024 Carryovers of \$3,466,052 as detailed in Attachment A.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS THAT

There is hereby authorized an amendment to the 2025 Operating Budget to appropriate funds, as follows:

<u>Account</u>		<u>Current Budget</u>	<u>Adjustment</u>	<u>Revised Budget</u>
Revenues				
01016550-422002	Transit Fed Grants Rev-Cap	\$ 1,809,540	\$ 2,437,264	\$ 4,246,804
44080101-422000	Federal Grants Revenue	-	16,347	16,347
Expenditures				
01010170-560005	Senior Citizens Center	25,000	183,266	208,266
01010170-560300	Parrot Island Water Park	2,100,000	302,254	2,402,254
01016550-531750	Capital Outlay - Improvements Other	125,000	2,952,830	3,077,830
41050101-545000	Other Current Expenses	65,000	10,000	75,000
44010101-531700	Capital Outlay - Buildings	-	170,000	170,000
44010101-531750	Capital Outlay - Improvements Other	-	110,000	110,000
44080101-521300	Outside Services	20,000	16,348	36,348
45010101-531950	Capital Outlay - Other	-	1,452,057	1,452,057
47010101-545000	Other Current Expenses	22,200	1,879	24,079
47020101-531600	Capital Outlay - Other	-	207,986	207,986
62020101-527100	Maintenance - Buildings	10,120	10,000	20,120
62020101-531700	Capital Outlay - Buildings	-	150,000	150,000
62050101-527100	Maintenance - Buildings	30,000	10,000	40,000
62060101-560000	Program Expense	61,000	25,000	86,000
Appropriation of General Fund Balance for Carryovers			\$ 3,148,009	

<u>Account</u>		<u>Current Budget</u>	<u>Adjustment</u>	<u>Revised Budget</u>
Expenditures				
51011101-521300	Outside Services	\$ 105,000	\$ 56,906	\$ 161,906
54011101-543200	Software Licensing Fees	50,000	89,118	139,118
Appropriation of Street Maintenance Fund Balance for Carryovers			\$ 146,024	

<u>Account</u>		<u>Current Budget</u>	<u>Adjustment</u>	<u>Revised Budget</u>
Expenditures				
63012104-521300	Outside Services	\$ 7,200	\$ 158,444	\$ 165,644
Appropriation of Solid Waste Fund Balance for Carryovers			\$ 158,444	

<u>Account</u>		<u>Current Budget</u>	<u>Adjustment</u>	<u>Revised Budget</u>
Expenditures				
55222101-527200	Maintenance - Equipment	\$ 7,305	\$ 13,575	\$ 20,880
Appropriation of Water and Sewer Operations Fund Balance for Carryovers			\$ 13,575	

PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to form:



City Attorney

ATTACHMENT A
2024 Carry Over Requests

Object Code where \$ exists	Object Code where you want the \$ to go	Org	Objec	Amount available in Object Code	Amount Requested	Explanation	Department	Fund	Contract?
62060101 - 560000	62060101 - 560000	62060101	560000	25,000	25,000	Repair of irrigation along Garrison. A local company has agreed to donate labor and materials to replant the landscape beds, provided the irrigation is functional to ensure the plants have adequate water supply for survival.	Parks - Riverfront/Downtown Maintenance	General	No
62020101-531700	62020101-531700	62020101	531700	150,000	150,000	Repair of retaining wall at Oak Cemetery. A mechanical engineer was used to evaluate the wall. Final construction plans have been finalized and bids will be solicited in January.	Parks - Oak Cemetery	General	No - "have to" project due to safety issue
62050101-527100	62050101-527100	62050101	527100	12,118	10,000	Repair of structural beam in Creekmore pumphouse. This beam has previously been patched. A structural engineer was consulted and has provided drawings to correct the issue until replacement of the pumphouse takes place. The replacement of the pumphouse will need to occur within the coming years.	Parks - Aquatics	General	No - "have to" project due to safety issue
62060101-520100	62020101-527100	62020101	527100	33,328	10,000	The HVAC unit at Oak Cemetery went out in mid-December and needs to be replaced. Adequate funds are not available in the FY25 Budget for this need.	Parks - Riverfront/Downtown Maintenance	General	No
47010101 - 545000	47010101 - 545000	47010101	545000	1,879	1,879	Community Relations Grant	Police Administration	General	Agreement
47020101 - 531600	47020101 - 531600	47020101	531600	757,429	207,986	CAD/RMS system installation / training not complete	Police Support Services	General	No
41050101 - 545000	41050101 - 545000	41050101	545000	19,275	10,000	Ordinances for codification into the Fort Smith Municipal Code and Unified Development Ordinance (Supplement No. 4) were submitted in 2024; however, such will not be received until 2025. NOTE: I was advised to create a requisition to encumber the funds; however, it was then recommended the funds be included as a carryover since Supplement 4 will not be received until 2025. Requisition/PO's will be canceled.	City Clerk	General	N/A
01016550 - 531750	01016550 - 531750	01016550	531750	750,000	750,000	Compressed Natural Gas Fueling Station - Slow Fuel Expansion. Transit currently has fast fuel, however, it is not sufficient to handle the capacity of the large buses within a short time period. Slow fuel will allow the fueling of all vehicles throughout the night without the need for staff. There has been a delay in the design due to available qualified sources.	Transit	General	Yes
01016550 - 531750	01016550 - 531750	01016550	531750	2,202,830	2,202,830	South 28th Street Alternative Right-of-Way Access/Entrance. Delay due to A&M Railroad reluctance to enter into joint use agreement (shared access easement).	Transit	General	Yes
	01016550 - 422002	01016550	422002		(675,000)	90% Reimbursed (CNG)	Transit	General	
	01016550 - 422002	01016550	422002		(1,762,264)	80% Reimbursed (28th Street)	Transit	General	
44080101 - Multiple	44080101 - 521300	44080101	521300	16,347	16,347	This project expense is for videography services for a road safety video series to be shared with the public. The expense will be reimbursed through the National Science Foundation Grant (Ride 4 Smilies). This project was planned to be completed in FY 2024 but did not happen. The projected will be started and completed in 2025. The 2024 funds planned for this project needs to be carried over to FY 2025.	Community Mobility	General	Yes
	44080101-422000	44080101	422000		(16,347)	Reimbursed from Ride 4 Smilies	Community Mobility	General	
45010101 - 531950	45010101 - 531950	45010101	531950	1,452,057	1,452,057	The Farmers Market Solar Canopy project has not started yet and will be initiated in 2025. These funds were approved by the Board of Directors to fund this project.	Sustainability	General	Yes
44010101 - 531700	44010101 - 531700	44010101	531700		90,000	Carnall Basement Flooring Replacement (ORD 26-24 JE 2024/04/995) Project delayed due to higher priority projects. Expected to be completed Q1 2025.	ITS	General	No but has been negotiated
44010101 - 531700	44010101 - 531700	44010101	531700		80,000	Carnall Water Intrusion Remediation (ORD 26-24 JE 2024/04/995)	ITS	General	No

ATTACHMENT A
2024 Carry Over Requests

Object Code where \$ exists	Object Code where you want the \$ to go	Org	Objec	Amount available in Object Code	Amount Requested	Explanation	Department	Fund	Contract?
44010101 - 531700	44010101 - 531750	44010101	531750		47,000	Solid Waste Facility Fiber Installation Scalehouse to Truck Shop (ORD 26-24 JE 2024/04/995) Project was delayed - expected completion to be Q1 2025. Final project scope was increased over original budget estimate.	ITS	General	Yes
44010101 - 531700	44010101 - 531750	44010101	531750		38,000	Solid Waste Facility Fiber Upgrades remaining campus locations.	ITS	General	Yes
44010101 - 531750	44010101 - 531750	44010101	531750	25,000	25,000	Solid Waste Facility Fiber Installation (ORD 26-24 JE 2024/04/995) Project was delayed - expected completion to be Q1 2025. Final project scope was increased over original budget estimate.	ITS	General	Yes
01010170-560030	01010170-560300	01010170	560300	227,185	227,185	Need to move the 2024 MakeMyMove funds into FY 2025. These funds will be used to pay the 2025 movers. There was not fund added in this code for FY 2025. The intent is to use the remaining 2024 funds.	Non Departmental - GF	General	No - Case by case
01010170-560300	01010170-560300	01010170	560300	75,069	75,069	Remaining amount in 2024 needs to carry over to 2025 - these funds are for the waterslides at Parrot Island Water Park	Non Departmental - GF	General	No
01010170-560005	01010170-560005	01010170	560005	191,505	183,266	Insurance funds were appropriated but not spent for the Fort Smith Senior Activity Center (Cavanaugh)		General	No
Sub Total of General Fund				5,939,021	3,148,009			General	
63012104 - 521300	63012104 - 521300	63012104	521300	158,444	158,444	R-231-23 SVM Solid Waste Rate Study - we will continue to pay for these services into 2025	Solid Waste - Administration	Solid Waste	Yes
Sub Total of Solid Waste Fund				158,444	158,444			Solid Waste	
51011101 - 521300	51011101 - 521300	51011101	521300	56,906	56,906	For various projects	Streets & Traffic - Administration	Streets & Traffic	No
54011101 - 543200	54011101 - 543200	54011101	543200	89,118	89,118	For software license for TMC (Traffic Control Room)	Streets & Traffic - Traffic Control Operations	Streets & Traffic	No
Sub Total of Street Maintenance Fund				146,024	146,024			Streets & Traffic	
55222101 - 527200	55222101 - 527200	55222101	527200	13,575	13,575	Reference Ord 38-24 and 68-24: These funds were insurance proceeds for asset #878, totaled in an accident on 2/14/24. They should have been carried over instead of transferred out. We expect to replace the vehicle in 2025, and these funds will be used to support the purchase.	Water/Sewer - Communications & Training	Water/Sewer	No
Sub Total of Water & Sewer Fund				13,575	13,575			Water & Sewer	
Total					3,466,052				



MEMORANDUM



TO: Jeff Dingman, Acting City Administrator
CC: Maggie Rice, Deputy City Administrator
FROM: Stan Snodgrass, Director of Engineering
DATE: February 25, 2025
SUBJECT: Massard Road Widening – Phase III, Extension to I-49
 Engineering Services Agreement – Amendment Number No. 1
 Project No. 23-01-A

SUMMARY

Massard Road south of Zero Street continues to see a significant increase in the traffic volume given the construction and growth in area. Additionally, the continuation of I-49 north to I-40 is well underway with the construction of the Arkansas River bridge ongoing. It is anticipated that this connection will dramatically increase the traffic flow in this area and the connection of Massard Road with I-49 will become a major interchange serving the City.

This project includes the construction of the additional two lanes along Massard Road to complete the four lane boulevard section extending to approximately Shirecrest Drive. It also includes widening of Massard Road between Shirecrest Drive and I-49 to a five lane street section and the installation of a traffic signal at the intersection of Massard Road and Chad Colley Boulevard. A location map is attached.

As the project has evolved, the scope of services has changed considerably requiring additional services. This additional work includes the design of a pedestrian bridge over Massard Road to accommodate a safe crossing for the existing multiuse path. The existing path crossing poses major safety and sight distance concerns due to its location near the top of the crest of the street. The street elevation at this crossing is considerably lower than adjacent cut slopes at the right of way making it an ideal location for the pedestrian bridge. This grade separated crossing will significantly enhance safety for the pedestrians by allowing them to cross over Massard Road. A conceptual plan sheet showing the location of the pedestrian bridge is attached. This bridge will be similar to the one along the Arkansas Riverfront, west of North P Street, as shown on the attached photograph.

Amendment No. 1 also includes right of way surveys, geotechnical investigations and utility excavation services primarily related to potential conflicts with a 30" water transmission line. The attached amendment provides detailed information for the additional work.

This project is in alignment with the comprehensive plan policies FLU-1.4 (Ensure adequate, well-maintained infrastructure, public safety, and public facilities for all development and prevent development ahead of infrastructure and service provision), TI-4.1 (Continue to

ensure that customers within Fort Smith have access to reliable water, sewer, drainage, solid waste services by reducing or eliminating deficiencies and gaps in infrastructure systems) and TI-4.2 (Ensure that utility and infrastructure systems can meet the city's long-term needs).

Attached is a Resolution to increase the engineering services agreement by \$211,000.00 from an original amount of \$559,180.00 to an adjusted amount of \$770,180.00. I recommend approval of the Resolution authorizing Amendment Number 1 to the Engineering Services Agreement. Funds are available in the Sale Tax program (1105) for this work.

ATTACHMENTS

1. [Item_ID__1650_ENGR_23-01-A_ESA_Amendment_1_Resolution.pdf](#)
2. [Item ID #1650 ENGR 23-01-A ESA Amendment 1 Exhibits.pdf](#)
3. [Item ID #1650 ENGR 23-01-A ESA Amendment 1 Signed Agreement.pdf](#)

FISCAL IMPACT: \$211,000.00
BUDGET INFORMATION: Budgeted / Engineering - Sales Tax Program

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING AMENDMENT NUMBER 1
TO THE ENGINEERING SERVICES AGREEMENT FOR THE
MASSARD ROAD WIDENING – PHASE III, EXTENSION TO I-49
PROJECT NO. 23-01-A**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH,
ARKANSAS, THAT:

SECTION 1: Amendment No. 1 to the engineering services agreement with Half Associates, Inc. for the Massard Road Widening – Phase III, Extension to I-49, Project No. 23-01-A, which increases the contract amount by \$211,000.00 from an original contract amount of \$559,180.00 to an adjusted contract amount of \$770,180.00 is hereby approved.

SECTION 2: Payment for engineering services authorized by Section 1 is hereby authorized from the Sales Tax Fund (1105).

This Resolution adopted this _____ day of March, 2025.

APPROVED:

Mayor

ATTEST:

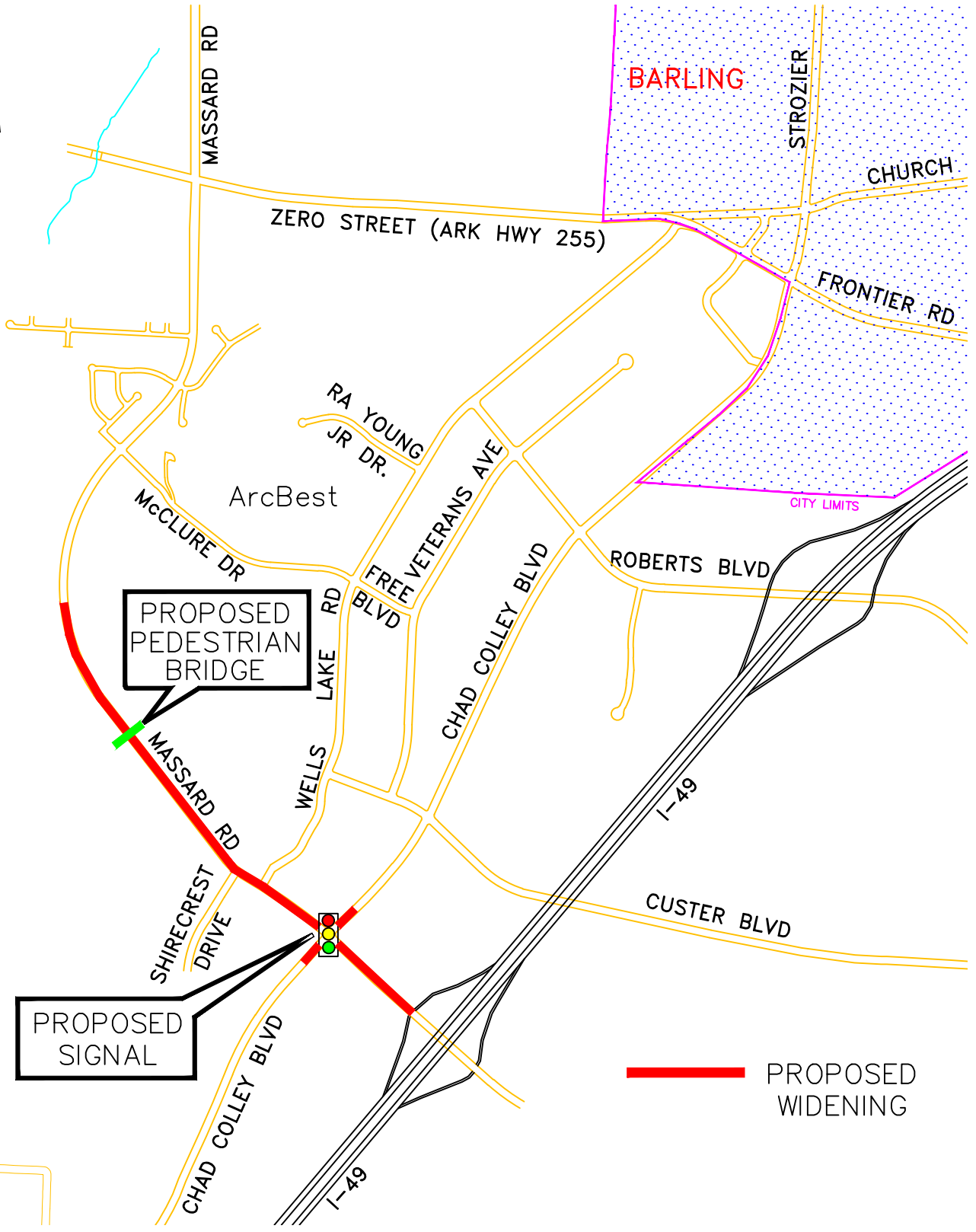
City Clerk

Approved as to form:



No Publication Required

C:\DRAWINGS\CIP\00-00_CIPALL\2025\PDF\ Massard REV.dwg 2/21/25 RBR Massard



PROPOSED PEDESTRIAN BRIDGE

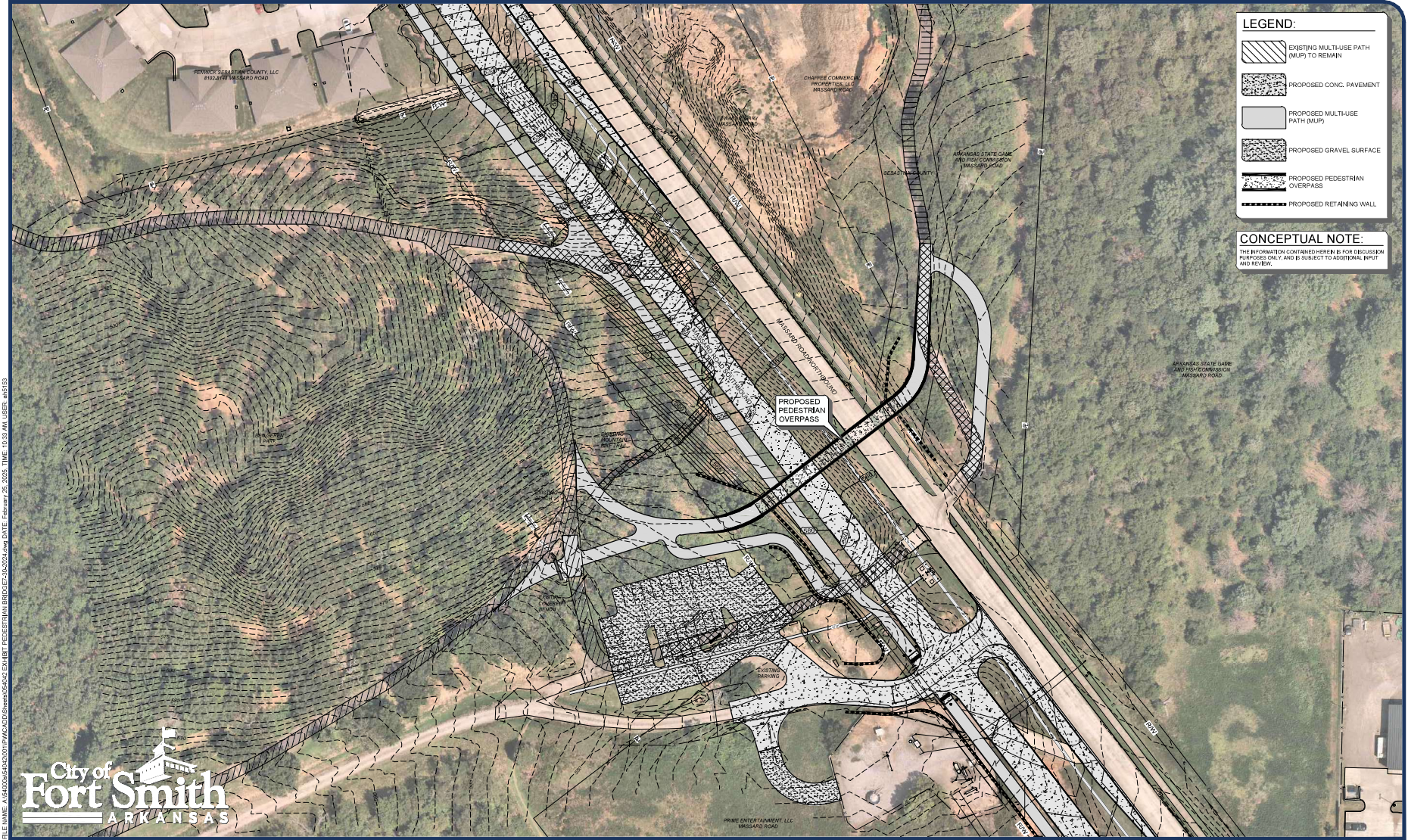
PROPOSED SIGNAL

PROPOSED WIDENING

2023 CAPITAL IMPROVEMENTS PROGRAM
MASSARD ROAD WIDENING TO I-49



Project:	23-01-A
Date:	MARCH 2025
Scale:	NONE
Drawn By:	RBR



LEGEND:

	EXISTING MULTI-USE PATH (MUP) TO REMAIN
	PROPOSED CONC. PAVEMENT
	PROPOSED MULTI-USE PATH (MUP)
	PROPOSED GRAVEL SURFACE
	PROPOSED PEDESTRIAN OVERPASS
	PROPOSED RETAINING WALL

CONCEPTUAL NOTE:
 THE INFORMATION CONTAINED HEREIN IS FOR DISCUSSION PURPOSES ONLY, AND IS SUBJECT TO ADDITIONAL INPUT AND REVIEW.

FILE NAME: A:\GIS\GIS\2025\PROJECTS\MASSARD PEDESTRIAN BRIDGE\250225.dwg DATE: February 25, 2025 TIME: 10:53 AM USER: jms153



MASSARD ROAD PEDESTRIAN OVERPASS

FEBRUARY 2025



THE DRAWINGS AND INFORMATION CONTAINED HEREIN ARE FOR GENERAL PRESENTATION PURPOSES ONLY AND ARE NOT INTENDED NOR SHALL THEY BE USED FOR DESIGN OR CONSTRUCTION PLANS. HALFF RESERVES THE RIGHT TO MODIFY OR CHANGE ALL DRAWINGS AND INFORMATION AT ANY TIME WITHOUT NOTICE.



Pedestrian Bridge, Riverfront Drive west of North P Street

AGREEMENT
BETWEEN
CITY OF FORT SMITH, ARKANSAS
AND
HALFF ASSOCIATES, INC.
FOR
PROFESSIONAL SERVICES

In accordance with the previous AGREEMENT for PROFESSIONAL SERVICES for the **2023 Capital Improvement Program - Massard Road Widening – Phase III**, Project 23-01-A, dated March 7th, 2023, between the City of Fort Smith, Arkansas (hereinafter called **Owner**) and Halff Associates, Inc., (hereinafter called **Engineer**), Owner hereby authorizes Engineer to proceed with the following additional services:

SECTION 1 – Scope

1.1 Amendment No. 1 is for Additional Services required for the design of a pedestrian overpass bridge for the multi-use path (MUP) crossing Massard Road, subsurface utility exploration services, and plan revisions requested by City staff. All contract language from original contract (23-01-A) document is applicable and shall remain unchanged unless otherwise noted herein. The scope of services of the following phases from the original contract are being added/amended, which are described in Exhibit A, and are generally summarized as follows:

1.2 **Topographic Surveys**

- a. Additional topographic survey will be performed to support the creation of additional design documents for the pedestrian bridge. Additional survey will primarily be conducted on the west & east side of the existing Massard Road corridor. Survey fee also includes time associated with the subsurface utility excavation (See 1.6) to gather elevational data on existing utilities to be exposed.

1.3 **Right-of-Way Surveys**

- a. The limits of the pedestrian bridge will exceed the limits of the City Right-of-Way. Therefore, additional boundary survey will be required. Because improvements will now take place outside the City Right-of-Way, time for easement document preparation is included as well.

1.4 **Geotechnical Investigations**

- a. With the inclusion of the pedestrian bridge, additional geotechnical services will be necessary. Services will include additional borings and excavation of test pits in the subject area. Due to the inclusion of abutments and retaining walls, a slope stability analysis will be performed. Additional borings will be taken on the south end of the alignment within ArDOT Right-ofWay.

1.5 **Pedestrian Overpass**

- a. Incorporate the design services necessary to produce additional documents related to the pedestrian bridge to incorporate in the Plan Set. Included will be structural engineering plans including plan and profile of the pedestrian bridge, abutment details, wingwall details, plan and profile of each retaining wall, retaining wall sections and details, as well as general notes.

1.6 **Utility Excavation**

- a. The City of Fort Smith has requested services to expose (pothole) several utility lines along the route of the project. Namely, the 30" water transmission line that interacts with the project improvements at many locations. Halff will subcontract with Badger Daylighting Corporation to perform these services. Halff survey crew will accompany the subconsultant and collect elevational data on the facilities once exposed.

1.7 **Plan Revision**

- a. Upon submitting preliminary plans, The City of Fort Smith has requested slight modification to the horizontal and vertical alignments. At this phase in design, to make accommodations for these changes, additional time will be necessary. Time for such accommodations is included in this amendment.

SECTION 2 – Compensation

2.1 Methods of Payment for Services and Expenses of ENGINEER.

2.1.1. For Basic Services. OWNER shall pay ENGINEER for Basic Services rendered under Section 1 an amount equal to the cumulative hours charged to the Project for each class of ENGINEER's employees times ENGINEER's Hourly Rates as shown on the attached Exhibit B, "Engineer's Hourly Rates" for services rendered by principals and employees assigned to the Project, plus approved Reimbursable Expenses and ENGINEER's Consultant charges, if any. For ENGINEER's Consultant charges the OWNER shall pay the ENGINEER the amount billed to the ENGINEER times a factor of 1.00. The maximum payment to the ENGINEER for Basic Services and Reimbursable Expenses under this Amendment Agreement shall not exceed \$211,000.00. These additional services shall adjust the Agreement's not to exceed fee to \$770,180.00.

2.1.1.1. Payment Schedule. Payment for a specific phases are broken down as noted below.

Pedestrian Overpass Design	\$ 125,250.00
Final Design Revisions	\$ 26,110.00
Bidding or Negotiating Phase and Construction Phase	\$ 6,640.00
Reimbursables (Geotechnical & Utility Excavation)	\$ 53,000.00
Total Contract Amendment Amount	\$211,000.00

SECTION 3 - EXECUTION

3.1 This Agreement (consisting of pages 1 through 4, inclusive), together with the Exhibits and schedules identified above constitute the entire agreement between OWNER and ENGINEER and supersede all prior written or oral understandings. This Agreement and said Exhibits and schedules may only be amended, supplemented, modified or canceled by a duly executed written instrument.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the day and year first above written.

Owner:

City of Fort Smith, Arkansas

Engineer:

Half Associates, Inc.

Travis Brisendine

By: _____

By: Travis Brisendine

Title: Mayor

Title: Vice President

Date Signed: _____

Date Signed: 2-24-25

Engineer License or Certificate No. 10420
State of: Arkansas

Address for giving notices:

Address for giving notices:

City of Fort Smith
C/O Stan Snodgrass, PE, Engineering Director

Half Associates, Inc.

P.O. Box 1908
623 Garrison Ave., Rm 409
Fort Smith, AR 72902

5704 Euper Lane, Suite 200

Fort Smith, AR 72903

Designated Representative (see Section 3.8):

Designated Representative (see Section 3.8):

Stan Snodgrass, PE

Allen T. Deaver, PE

Title: Engineering Director

Title: Public Works Team Leader

Phone Number: 479-784-2225

Phone Number: 479-397-0315

E-Mail: snodgrass@fortsmithar.gov

E-Mail: adeaver@half.com

EXHIBIT “A”

**2023 CAPITAL IMPROVEMENTS PROGRAM
MASSARD ROAD WIDENING – PHASE III to I-49
(PROJECT NO. 23-01-A)**

Contract Amendment No. 1

Amended Scope of Services

The following items have been added to the scope of this project:

1. Create plan documents to support construction of a pedestrian overpass over Massard Road near the existing multi-use path crossing near the gas well and parking area.
 - a. Plan and profile of overpass.
 - b. Structural design of overpass including sections, details, technical specifications as necessary.
 - c. Structural design of multiple retaining walls in the vicinity to support the overpass construction for grade transition.
2. Provide surveying services necessary to create the above-mentioned plan documents. Survey services shall be limited to topographic and boundary survey in the vicinity of the proposed overpass.
3. Contract with a reputable company to provide geotechnical investigations and recommendations to support creation of the above-mentioned plan documents.
4. Contract with reputable company to provide hydro excavation services to expose several utilities along the route.
5. Provide construction phase services necessary to the addition of the pedestrian overpass to the project. Including but not limited to responding to contractor/bidders RFIs, approval of material submittals, and periodic site visits.

EXHIBIT B

2023 CAPITAL IMPROVEMENTS PROGRAM MASSARD ROAD WIDENING – PHASE III (PROJECT No. 23-01-A)

SCHEDULE OF HOURLY BILLING RATES

Principal Engineer	\$ 320.00/Hour
Senior Project Engineer (P.E.)	\$ 275.00/Hour
Structural Project Manager	\$ 230.00/Hour
Senior Project Manager	\$ 200.00/Hour
Structural Engineer (P.E.)	\$ 180.00/Hour
Project Manager	\$ 160.00/Hour
Project Engineer (P.E.)	\$ 155.00/Hour
Project Engineer (E.I.)	\$ 135.00/Hour
Engineering Technician	\$ 80.00/Hour
Landscape Architect (P.L.A.)	\$ 165.00/Hour
Senior CAD Designer	\$ 150.00/Hour
CAD Designer	\$ 125.00/Hour
CAD Technician	\$ 110.00/Hour
Senior Construction Observer	\$ 160.00/Hour
Construction Observer	\$ 100.00/Hour
Project Technician	\$ 100.00/Hour
Administrative Assistant	\$ 60.00/Hour
Project Accountant	\$ 115.00/Hour
Senior Surveyor (PLS)	\$ 225.00/Hour
Surveyor (PLS)	\$ 180.00/Hour
Survey/Geospatial Manager	\$ 155.00/Hour
Senior Survey Tech/Sr. Geospatial Tech (SIT)	\$ 130.00/Hour
Survey Tech/Geospatial Tech	\$ 105.00/Hour
3-Man Survey Crew	\$ 265.00/Hour
2-Man Survey Crew	\$ 200.00/Hour
1-Man Survey Crew	\$ 130.00/Hour
1-Man Terrestrial HDS Crew (*)	\$ 255.00/Hour
2-Man Terrestrial HDS Crew (*)	\$ 350.00/Hour
FAA 107 UAS Pilot (*)	\$ 260.00/Hour

MOBILIZATION FEES:

UAS LiDAR Phoenix (Daily Rate)	\$2,200.00/Day
MX7 Mobile Photogrammetry (Daily Rate)	\$1,500.00/Day
MX9 Mobile LiDAR (Daily Rate)	\$3,000.00/Day

EXPENSES:

Mileage & Per Diem Meals:	CURRENT IRS
RATE All other Direct Costs (ODC), such as hotels, subcontractors, hotels, research fees etc.:	At Cost

BILLING TERMS:

1. Hourly charges will be billed in 0.25-hour minimum increments. Some services may be subject to minimum charges.
2. Hourly rates include charges for personnel, equipment, and supplies, but do not include vehicle mileage charges and per diem.
3. Work requested between the hours of 7:00 PM and 6:00 AM and on Saturdays, Sundays, or holidays will be charged at 125% of the noted rates.
4. Services rendered for legal proceedings, including pre-trial hearings, depositions, expert report preparation, and trial testimony, etc. will be charged at 200% of the noted rates.

EXHIBIT C
SUMMARY of PROPOSED ENGINEERING FEES
Halff Associates, Inc.
2023 CIP - Massard Road Widening, Phase III to I-49
(City of Fort Smith Project No. 23-01-A)
Contract Amendment 1 - Pedestrian Bridge Addition
February 24, 2025

DESIGN PHASE	Principal Engineer (\$320/hr.)	Sr. Project Manager (\$200/hr.)	Structural Project Manager (\$230/hr.)	Structural Engineer (PE) (\$180/hr.)	Professional Surveyor (\$180/hr.)	Survey Manager (\$155/hr.)	2-Person Survey Crew (\$200/hr.)	1-Person Survey Crew (\$130/hr.)	Senior CAD Designer (\$150/hr.)	CAD Technician (\$110/hr.)	Administrative Assistant (\$60/hr.)	Reimbursable Expenses (At Cost)
Site Investigation Visits / General Due Diligence		4	16	16								
Survey Topo/Boundary		2			8	12	55	40				
Pedestrian Bridge Design	1	12	32	40					54			
Retaining Wall Plans & Details	1	4	32	68					80			
Construction Details		2	8	28					20			
Plan Notes		2	3	3						8		
Ancillary Plan Sheets - Cover, Index, QTY's, General Layout, Etc...			2	2						5		
Special Conditions	2	10	8	8							2	
Roadway Plan & Profile Edits	4	40							100			
Parking Lot Layout & Grading		12							32			
Construction Quantities / Bid Schedule and Cost Opinion		8		8								
Easement Plans, Including Ownership		2										
Coordinate W/Geotech Engineer		4	4	2								
Easement Document Preparation		2			24				8	24	4	
Hours - Final Design Tasks:	8	104	105	175	32	12	55	40	294	37	6	
Total Fee per Classification:	\$ 2,560.00	\$ 20,800.00	\$ 24,150.00	\$ 31,500.00	\$ 5,760.00	\$ 1,860.00	\$ 11,000.00	\$ 5,200.00	\$ 44,100.00	\$ 4,070.00	\$ 360.00	
TOTAL FEE - DESIGN FEE												\$ 151,360.00

CONSTRUCTION PHASE	Principal Engineer (\$320/hr.)	Sr. Project Manager (\$200/hr.)	Structural Project Manager (\$230/hr.)	Structural Engineer (PE) (\$180/hr.)	Professional Surveyor (\$180/hr.)	Survey Manager (\$155/hr.)	2-Person Survey Crew (\$200/hr.)	1-Person Survey Crew (\$130/hr.)	Senior CAD Designer (\$150/hr.)	CAD Technician (\$110/hr.)	Administrative Assistant (\$60/hr.)	Reimbursable Expenses (At Cost)
Review Contractor's Material Submittals / QA test results			4	8								
Site Visits / Construction Tasks and meetings / Plan Clarifications if Requested by City:	1	8	4	8								
Hours - Construction Phase Tasks:	1	8	8	16	0	0	0	0	0	0	0	
Total Fee per Classification:	\$ 320.00	\$ 1,600.00	\$ 1,840.00	\$ 2,880.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
TOTAL FEE - CONSTRUCTION PHASE												\$ 6,640.00

REIMBURSABLES												Reimbursable Expenses (At Cost)	
Geotechnical Engineering / Investigation													\$ 13,000.00
Pot-Holing to Field Locate Conflicting Utilities													\$ 40,000.00
TOTAL FEE - REIMBURSABLES												\$ 53,000.00	

TOTAL FEE (Hourly, not to exceed + Reimbursables):												\$ 211,000.00
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MEMORANDUM

TO: Jeff Dingman, Acting City Administrator
CC: Maggie Rice, Deputy City Administrator
FROM: Matt Meeker, PE, Director of Streets & Traffic Control
DATE: February 26, 2025
SUBJECT: 2025 Vehicle/Equipment Purchases

SUMMARY

The Streets & Traffic Control Department is ready to move forward with the budgeted vehicle and equipment purchases for 2025. Due to supply issues and volatility within the market, procurement of equipment has become increasingly difficult and expensive. That being said, the Department has the opportunity to save on both delivery time and cost if it moves quickly through cooperative purchasing agreements. Per Ordinance 93-05, the City is authorized to participate in the State Cooperative Purchasing program. This process has enabled the City to take advantage of other negotiated contracts that the State of Arkansas currently participates in.

One of these contracts is Sourcewell, a national municipal contracting agency offering national contract purchasing solutions by facilitating and awarding national competitively bid contracts. Because of their contracts, local governments nationwide are permitted to purchase through their cooperative purchasing program.

The Streets and Traffic Control Department recently secured cooperative purchasing bids through Sourcewell with:

- Carco International of Fort Smith, Arkansas, for a concrete truck and two-ton dump truck with snow plow;
- Riggs CAT, Inc., of Fort Smith, Arkansas, for a skid steer loader and road grader;
- P&K Equipment, Inc., of Fort Smith, Arkansas, for a 4x4 tractor with rear swing flail mower.

The budgeted and cooperative purchasing bid amounts for each vehicle/piece of equipment are summarized in the table below.

Program	Vehicle/Equipment	Budgeted Amount	Cooperative Purchasing Bid Amount	Sourcewell Contract Number
5302	Two-Ton Dump Truck w/Plow	\$250,000.00	\$249,249.42	#032824-NVS

5302	Road Grader	\$275,000.00	\$203,377.26	#060122-WLR
5302	Skid Steer Loader	\$105,000.00	\$92,644.18	#020223-CAT
5303	4x4 Tractor w/Rear Swing Flail Mower	\$80,000.00	\$78,769.58	#082923-DAC
5304	Concrete Truck	\$200,000.00	\$197,584.46	#032824-NVS
	TOTALS	\$910,000.00	\$821,624.90	

The new two-ton dump truck with snow plow is replacing Asset #630, a 2014 International 2 Ton Dump Truck with 81,166 miles. This 10-year old dump truck has had approximately \$26,000 in repairs since 2020. The new truck will be utilized to plow snow and ice and spread salt/sand during winter weather events, as well as hauling excavated material from work sites, hot mix asphalt during paving operations, and storm debris after severe weather.

The new road grader is replacing Asset #3027, a 2007 Case 865 DHP Tier III Grader with 2,594 hours. This 17-year old grader has had over \$11,000 in repairs since 2020. The new grader will primarily be used to re-grade alleys, but will also be utilized during winter weather events to clear snow and ice.

The new skid steer loader is replacing Asset #3043, a 2012 Cat Skid Steer Loader with 2,245 hours. This 12-year old skid steer has had over \$5,000 in repairs since 2022. The new skid steer will be utilized in sidewalk and various concrete construction projects, during pavement milling operations, for grinding stumps, and in debris cleanup after storm events.

The new 4x4 tractor with rear swing flail mower is replacing Asset #3059, a 2014 New Holland Tractor with approximately 4,000 hours. This 10-year old tractor has had approximately \$7,000 in repairs since 2022, and it is no longer operable. The new tractor will be utilized to mow street rights of way within the City.

The new concrete truck is replacing Asset #202, a 2013 Kenworth T440 Concrete Truck with 131,445 miles. The motor and transmission are weak on this 11 year old truck, and it has had over \$72,000 in repairs since 2020. The new truck will be utilized to haul concrete for street repairs, sidewalk work, and drainage projects to various job sites around the City.

The new two-ton dump truck with snow plow, road grader, skid steer loader, 4x4 tractor with side-cut mower, and concrete truck were previously approved on November 3, 2024, as part of the ten-year Streets and Traffic Control Capital Improvements Plan (R-221-24). The total cost for all of these items is \$821,624.90, which is \$88,375.10 less than the \$910,000.00 budgeted to purchase this equipment. Therefore, I am recommending that the Board approve the attached resolution accepting the bids listed in the table above. Funds for this equipment are budgeted and available in 11010370-531960 Capital Replacement Fund.

These vehicle/equipment replacements are in alignment with the comprehensive plan policies FLU-1.4 (Ensure adequate, well-maintained infrastructure, public safety, and public facilities for all development and prevent development ahead of infrastructure and service provision); FLU-3.2: Improve the accessibility of Downtown; NCR-2.3: Improve air quality; NCR-2.6: Reduce stormwater runoff and flooding; TI-1.2: Make major destinations highly accessible by all modes of transportation; TI-2.1: Ensure that business and industry have sufficient transportation infrastructure to support freight operations and business communications,

including rail, air, telecommunications, and pipelines; TI-2.2: Provide convenient, reliable connections between industrial zones and regional highways to facilitate truck traffic that also minimize noise and traffic conflicts with other users; TI-3.1: Promote and maintain a public transit system that is safe, efficient, cost-effective and responsive to the needs of residents; TI-4.1 (Continue to ensure that customers within Fort Smith have access to reliable water, sewer, drainage, solid waste services by reducing or eliminating deficiencies and gaps in infrastructure systems) and TI-4.2 (Ensure that utility and infrastructure systems can meet the city's long-term needs)

ATTACHMENTS

1. [Resolution-Equipment_Purchases-2025.pdf](#)
2. [2026 City of FS Snow Plow Dump Sourcewell Quote.pdf](#)
3. [2026 International HV507.pdf](#)
4. [Road Grader Sourcewell Quote.pdf](#)
5. [Weiler G65 Grader.pdf](#)
6. [Skid Steer Sourcewell Quote.pdf](#)
7. [Cat 265 Compact Track Loader \(Skid Steer\).pdf](#)
8. [Tractor with Rear Swing Flail-Sourcewell Quote.pdf](#)
9. [John Deere 5090E Tractor.pdf](#)
10. [2026 City of FS Mixer Sourcewell Quote.pdf](#)
11. [2026 International HV607 Concrete Truck.pdf](#)

FISCAL IMPACT: \$821,624.90
BUDGET INFORMATION: Budgeted / Streets & Traffic Control - 11010370-531960
Capital Replacement Fund

RESOLUTION NO. _____

RESOLUTION ACCEPTING BIDS FOR THE PURCHASE OF VEHICLES AND EQUIPMENT FOR THE STREETS & TRAFFIC CONTROL DEPARTMENT

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

The bids, as indicated by the attached enclosures, for the purchase of various vehicles and equipment for the Streets & Traffic Control Department are hereby approved.

This Resolution adopted this _____ day of March, 2025.

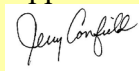
APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to form:



No publication required

International Motors, LLC is pleased to provide you with this proposal compliant with all terms of the Sourcewell Vehicles and Chassis Contract #032824-NVS awarded formerly to Navistar, Inc now International Motors, LLC for new International truck(s). If you have any questions regarding enrollment in Sourcewell or detailed contract terms and conditions, please see your local International Dealer sales representative.

PROPOSAL PREPARED FOR:		PROPOSAL PREPARED BY:	
Sourcewell Member:	City of Fort Smith	Carco International, Inc.	
Contact:	Charity Gregory	Patrick Jacobs	
Address:	623 Garrison Ave	2721 Midland Blvd	
City/State/Zip:	Fort Smith, AR 72902	Fort Smith, AR 72904	
Phone:	(479) 784-2267	(479) 441-3276	
Email:	charity.gregory@fortsmithar.gov	piacobs@carcoint.com	

Proposal Number	4498
Date	2/6/2025
Quantity of this Specification	1
Single Sourcewell Transaction Total Volume	1

Chassis		
New 2026 International HV507 6x4 Chassis		\$ 150,352.00
Base Chassis List	\$ 122,474.00	
Options List	\$ 27,878.00	
Sourcewell Contract Discount	31.0%	\$ (46,672.30)
Volume Incentive		\$ -
Material Price Increases		\$ -
Net Sourcewell Chassis Price		\$ 103,679.70
Sourcewell Partner Body		
		\$ -
		\$ -
Handling Fee	4.00%	\$ -
Non-Sourcewell Dealer Supplied Body		
Henderson Dump Body, Snow Plow and Spreader		\$ 130,504.50
		\$ -
Handling Fee	5.00%	\$ 6,525.23
Additional Post Build Work		
PDI, DOT, FIRE EXT, TRIANGLES, FUEL, DEF		\$ 1,000.00
		\$ -
		\$ -
Handling Fee	5.00%	\$ 50.00
Service Contracts		
60/150K Engine Aftertreatment Coverage Hours Maximum Applies		\$ 3,190.00
60 Months Towing		\$ 1,800.00
		\$ -
Additional Freight		
Freight From Tulsa to Fort Smith		\$ 2,500.00
		\$ -
Additional Floorplan		
		\$ -
		\$ -
Additional Fees & Taxes		
		\$ -
		\$ -
		\$ -
Final Sourcewell Per Vehicle Price FOB Fort Smith, AR		\$ 249,249.42
Final Sourcewell Total Vehicle(s) Price		\$ 249,249.42
<i>Additional Sourcewell Qualified Content</i>		
Silver Package Award		\$1,200

Terms:

Stock unit in dealer's inventory, dealer will accept a final purchase order using the current Sourcewell pricing quoted above.

Dealer placing a new orders for the Sourcewell Member, the purchase order cannot be firm up until the unit is slotted to build with a firm build date or lineset. Once a firm build date has been established, dealer will provide the Sourcewell Member approved pricing and a final purchase order can be accepted with firm pricing. Dealer cannot guarantee bodies and/or equipment pricing added to the chassis for a turnkey sale until chassis is lineset.



2026 International HV507

(Actual color of truck will be school bus yellow with green dump body)

Henderson

MARK E

SINGLE AXLE DUMP BODY



Henderson
Heavy-Duty Material Hauling Capabilities

The Dependable Ones

All photos shown with optional e

MARK E™

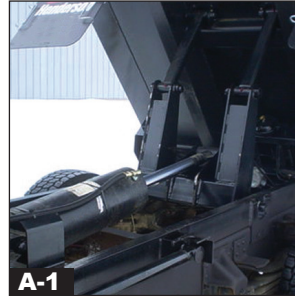
SINGLE AXLE DUMP BODY

A. Choose A Hoist Configuration

Start by selecting a hoist. The hoist controls a number of factors: appearance, function, placement, capacity and mounting height.

Underbody Hoist (A-1): a traditional hoist and sub-frame. It stows underneath the body, providing a clean and clear head sheet.

Telescopic Hoist (A-2): available with internal or external mounting and single (power up) or double (power up and down) acting function. Our telescopic hoist packages offer the lowest possible mounting height (low center of gravity). The external telescopic hoist has the option of adding a full width cradle assembly which holds the hydraulic reservoir and valve enclosure. This provides a central location for your hydraulic components positioned conveniently between the cab and head sheet.



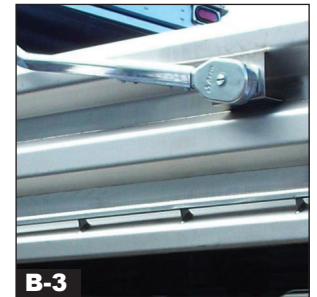
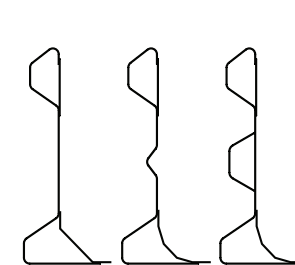
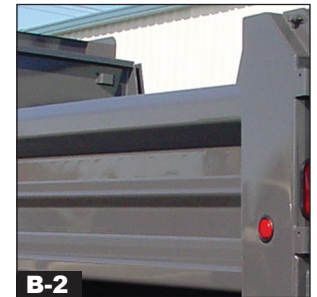
B. Choose A Side/Brace Configuration

Now we'll focus on appearance, side wall strength and ease of clean out. Remember to inquire about all available options. These options include walk rails, tarp rails, ladders, brackets and many more.

Smooth Sides (B-1): the basic style offered, reducing weight and cost. This design offers excellent strength and resistance to wear. Additional benefits include easy clean out and ideal advertising space. Proudly display your company logo or corporate message.

V-Crimp (B-2): the next level in side configuration. Designed to increase side wall strength and help maintain its outward appearance. Side walls may allow up to two v-crumps.

Weld-on Horizontal Brace (B-3): our "Top of the Line" side wall. This single weld-on brace runs the length of the body. It maintains smooth inside walls (easy clean out), provides the ultimate in side wall strength and is ideal for maintaining the body's outward appearance.



C. Choose A Side Profile

Side profile will determine your load hauling capacity and whether that capacity is fixed or flexible.

Straight Sides (C-1): the basic style offered. Like smooth sides, this option helps trim both weight and cost. It also provides the ability to add sideboard inserts (increased capacity). Steel sideboards are available for purchase or they can be fabricated out of other materials, such as wood.

Sloped Sides (C-2): a permanent solution to maximize load hauling capacity. The degree of slope is determined by desired capacity. Additional accessories and options become available when selecting sloped sides.



D. Choose A Rear Tailgate Configuration

The final step when configuring your MARK E dump body rests in the rear tailgate. This decision will focus on your primary application.

Straight Tailgate (D-1): our most commonly selected style due to its array of flexible options. A great general purpose tailgate.

Also available in **Sloped** or **Asphalt Style** configurations.



An American Evolution Build A Dump Body All Your Own



Value Added:

It all starts with the ability to configure your dump body based on any number of criteria. Recognizing not all budgets, applications or types of loads are identical, we asked our engineers to provide real world solutions without sacrificing quality. They responded by delivering the **MARK E** line of dump bodies. Designed for both single and tandem axle chassis.

All **MARK E** dump bodies are built cross-memberless. The benefits behind cross-memberless are many: elimination of washboard floors, huge reduction in the number of corrosion points, lower center of gravity, reduced body weight, increased payload, steady load discharge and easy clean out.

It doesn't stop there. Henderson's unibody design goes the extra mile. We continued by overlapping the floor and side walls to spread impact and side load forces. Then capped it off by incorporating two I-beam longitudinals, which run the length of the body. From the core out, the **MARK E** dump body equates to unmatched strength, durability and quality.



Continuing to address wants and needs...

Select Your Grade of Steel

- Grade 50
- AR400
- AR450
- 201 Stainless
- 304 Stainless
- 409 Stainless

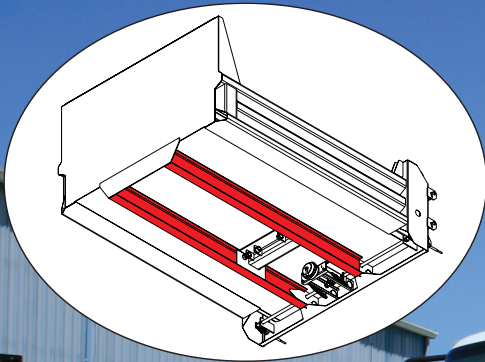
Accessories & Extras

- High Lift Tailgate
- Steps/Walk Rails
- Hydraulic Tanks
- Valve Enclosure
- Vibrator Mounts
- Ladders
- Tarp Shrouds
- Cab Shields
- Asphalt Lips
- Coal Chutes

Or mix-n-match, as needed.

And many more...

Cross-memberless & I-beam Longitudinals



A dump body from the Henderson **MARK** Series is NOT just another dump body. Our willingness and ability to deliver a customized dumping experience, built around your specific operation, is what sets Henderson apart.

Choose a hoist, side/bracing, side slope, tailgate, grade of steel and from a list of additional options to dial in the perfect dump body. It's truly an American Evolution.

A Henderson **MARK** Series dump body is a long-term investment. When you're ready to incorporate the world's most customizable and durable dump body series into your fleet of work trucks, give us a call. As always, we stand by our claim as...

The Dependable Ones™



MARK E SINGLE AXLE DIMENSIONS & CAPACITY CHART

LENGTH	HEIGHTS (.in)			CAPACITY (cu. yd.) SIDES/ENDS	RECOMMENDED CA	TYPE	HOIST CLASS (NTEA)	CAPACITY (Tons)
	SIDES	HEAD	TAILGATE					
TELESCOPIC HOIST								
10'	24"	52"	32"	5.2/7.0	84	M90-4.5-3	50	21.5
10'	30"	52"	38"	6.5/8.3	84	M90-4.5-3	50	21.5
10'	36"	52"	44"	7.8/9.6	84	M90-4.5-3	50	21.5
10'	44"	52"	52"	9.6/11.3	84	M90-4.5-3	50	21.5
11'	24"	52"	32"	5.8/7.7	96	M100-4.5-3	60	21.6
11'	30"	52"	38"	7.2/9.1	96	M100-4.5-3	60	21.6
11'	36"	52"	44"	8.6/10.6	96	M100-4.5-3	60	21.6
11'	44"	52"	52"	10.6/12.5	96	M100-4.5-3	60	21.6
12'	24"	52"	32"	6.3/8.4	108	M110-4.5-3	60	17.5
12'	30"	52"	38"	7.9/10.0	108	M110-4.5-3	60	17.5
12'	36"	52"	44"	9.4/11.5	108	M110-4.5-3	60	17.5
12'	44"	52"	52"	11.5/13.6	108	M110-4.5-3	60	17.5
UNDERBODY HOIST								
10'	24"	52"	32"	5.3/7.1	84	7-17	50	14.2
10'	24"	52"	32"	5.3/7.1	84	8-17	50	18.7
10'	30"	52"	38"	6.6/8.4	84	8-17	50	18.7
10'	36"	52"	44"	8.0/9.7	84	8-17	50	18.7
10'	24"	52"	32"	5.3/7.1	84	8-21	60	24.1
10'	30"	52"	38"	6.6/8.4	84	8-21	60	24.1
10'	36"	52"	44"	8.0/9.7	84	8-21	60	24.1
10'	44"	52"	52"	9.7/11.5	84	8-21	60	24.1
11'	24"	52"	32"	5.8/7.8	96	8-21	60	21.4
11'	30"	52"	38"	7.3/9.2	96	8-21	60	21.4
11'	36"	52"	44"	8.8/10.7	96	8-21	60	21.4
12'	24"	52"	32"	6.4/8.5	108	8-21	60	19.2
12'	30"	52"	38"	8.0/10.1	108	8-21	60	19.2

*Consult your local Henderson Distributor, as CA and other installation related measurements may vary.
Additional accessories and options (not shown) are available.*

COMPLETE MUNICIPAL SNOW & ICE CONTROL SOLUTIONS

PLOWS • WINGS • UNDERBODY SCRAPERS • SAND & SALT SPREADERS • STANDARD & PRECISION SPINNERS • DUMP BODIES • COMBINATION (MUNICIPAL) BODIES
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NJPA AWARDED CONTRACT
CONTRACT: 080114-HPI





RSP PLOW

Henderson Puts Your Snow and Ice Control Program in the Fast Lane

Designed from the ground up to manhandle snow and ice, the RSP is state-of-the-art. Whether it be city, rural or interstate highway snow and ice control, the RSP (Reversible Snow Plow) tackles the most demanding conditions.

Many innovative features have been engineered into the RSP, such as the unique moldboard curvature that rolls material out of the way smoothly and quickly. The self-cleaning design of the RSP reduces the chance for back-up and drift that can obscure driver vision.

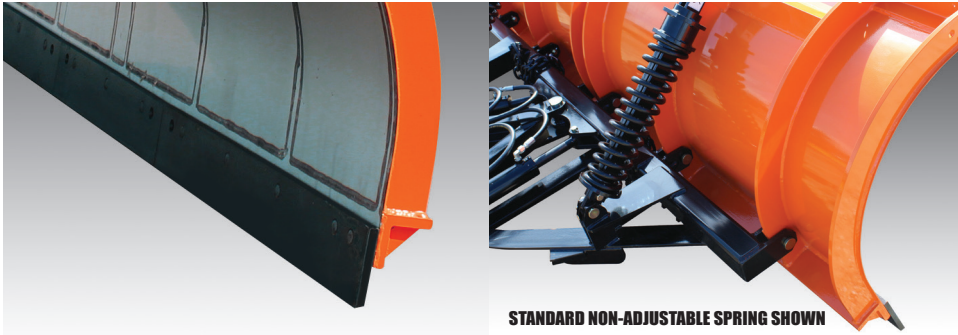
Available with a trip-edge or as a full-trip moldboard, the RSP allows plowing at higher speeds. Three profiles and many options let you order the perfect plow for your needs.



- Eight 1/2" x 3-1/2" ribs for extra strength and rigidity.
- Moldboard curvature is designed to improve snow moving capabilities while minimizing "drift".
- Supported by the Henderson Hitch, the plow in any position remains level to the road.
- One-piece moldboard is rolled instead of brake formed presenting a smooth, clean surface for better material flow.
- **OPTIONAL** - Two easily adjustable compression springs have five position settings for variable control of the trip force.
- **OPTIONAL** - Full-width push tube (14% longer than other makes) gives greater blade stability.
- Five moldboard-to-push frame pivot points more evenly distribute push force throughout the entire plow. (Six pivot points on adjustable cutting edge trip).
- 1-1/4" bushings are welded through ribs to provide greater pivot pin bearing surface and enhanced durability.
- Plow-mounted cushion valve is standard.
- Twin reversing cylinders are located above the push frame for protection against road debris.
- Three-position attack angle adjustment (5°, 10°, 20° approx.) to meet all snow and ice removal conditions.
- Moldboard height measures from the road surface to inside of arc - not top of ribs as with some manufacturers.
- Twin 3" x 10" nitrated hydraulic cylinders are double-acting for heavy-duty power reversing. Cylinders are common parts with most hitches.
- One-piece 5/8" x 8" cutting edge gives extended wear. (Carbide cutting edge optional).
- Trip-spring anchor plates are encased and continuous welded to the push frame providing greater strength.
- All parts are continuous welded which minimizes corrosion points.
- All surfaces are high pressure cleaned and degreased with phosphate solution before powdercoat Highway Orange paint. Push frame assembly and hitch components are powder coat painted black.

The Dependable Ones™

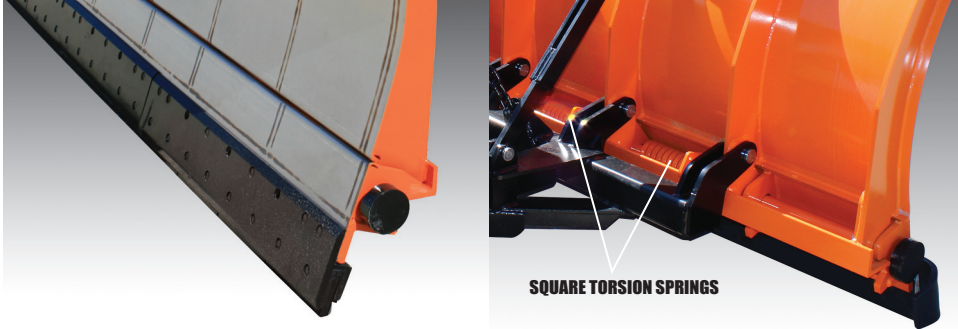
TWO MAJOR TYPES OF TRIP DESIGNS TO MEET YOUR PLOWING CONDITIONS



STANDARD NON-ADJUSTABLE SPRING SHOWN

FULL MOLDBOARD TRIP

- Twin compression springs
- Adjustable twin compression spring trip



SQUARE TORSION SPRINGS

ADJUSTABLE CUTTING EDGE TRIP

- One-piece trip edge with five 3/4" adjustable square torsion springs
- Zero insertion force for easy and safe spring replacement
- Each spring features individual three-position trip tension adjustment (wrench included)
- Cutting edge trip design allows for smoother trip action and minimizes shock to the truck chassis and driver



APPROX. ATTACK ANGLE ADJUSTMENT: 5°, 10°, AND 20°

SPECIFICATIONS

PLOW MODEL	LENGTH	HEIGHT	APPROX. WT. (lbs.)
RSP-10-36-FT-ST	10'	36"	1750
RSP-10-42-FT-ST	10'	42"	1760
RSP-10-48-FT-ST	10'	48"	1790
RSP-11-36-FT-ST	11'	36"	1815
RSP-11-42-FT-ST	11'	42"	1830
RSP-11-48-FT-ST	11'	48"	1860
RSP-12-36-FT-ST	12'	36"	1875
RSP-12-42-FT-ST	12'	42"	1890
RSP-12-48-FT-ST	12'	48"	1925

CUTTING PATH

Cutting path at 35° for a 10' length is 8'2"
 Cutting path at 35° for a 11' length is 9'0"
 Cutting path at 35° for a 12' length is 9'10"

MOLDBOARD

- "Level lift" design allows the plow to remain level with road in any position when using Henderson Hitch.
- 10-ga. Grade 50 rolled moldboard with 1/2" x 3-1/2" ribs.
- Continuous welded one-piece moldboard.
- Reinforced 4" x 4" x 3/4" bottom angle.
- 3-1/2" x 2-1/2" x 3/8" top angle with holes to allow moisture to escape moldboard.
- Two horizontal stiffeners for added rigidity.
- Attack angle is adjustable to approx. 5°, 10° and 20°.
- 5/8" x 8" one-piece cutting edge with AASHO punching is standard.

PUSH FRAME

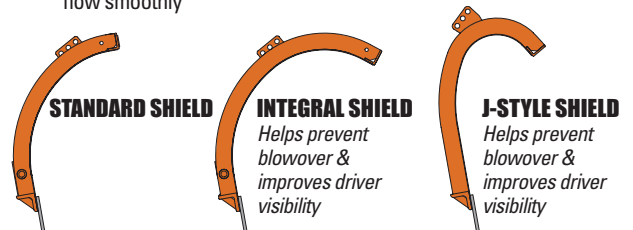
- Push frame width is 96".
- Semi-circle is 3-1/2" x 3-1/2" x 1/2" angle welded to 4" x 4" x 3/8" structural tube.
- Five moldboard-to-push frame pivot points with 1-1/4" bushings pin to two 5/8" mounting ears. (Six pivot points on adjustable cutting edge trip).

OPTIONS

- Rectangular wear shoes, carbide shoes, mushroom shoes, 8" and 10" caster wheels, pneumatic wheels, moldboard shoes
- Curb bumper
- Wraparound curb guards
- Rubber deflector
- Sight markers
- 6" carbide cutting edge
- Rubber cutting edge
- 3/16" moldboard
- Full-width push frame
- 3" x 2" x 10" lift/reversing cylinder
- 4" x 2" x 10" lift/reversing cylinder
- Integral shield extends a minimum of 19" beyond cutting edge
- 4" x 4" x 3/4" semi circle
- Full moldboard trip exclusive, patented, five-position compression spring settings are easily adjustable to provide variable control of trip force for all snow and ice conditions
- Full moldboard cannon trip
- Tubular push frame and table

OPTIONAL 201 AND 304SS MOLDBOARD SHEET

- More corrosion resistant
- Higher brinell hardness increases wear resistance
- 201 and 304SS have a lower friction coefficient allowing snow to flow smoothly



STANDARD SHIELD

INTEGRAL SHIELD

Helps prevent blowover & improves driver visibility

J-STYLE SHIELD

Helps prevent blowover & improves driver visibility

COMPLETE MUNICIPAL SNOW & ICE CONTROL SOLUTIONS

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HP-093 05/20



FSH™

Heavy-duty Precision Spreaders to Match Any Need or Budget

The legendary Henderson FSH sand and salt spreader is now available in three versions. The FSH-I, II and III, each having subtle differences to better meet customer needs and varying specification requirements.

The core features of the FSH are retained “across the board” on all three models: rugged construction, controlled delivery of material to the road surface and low maintenance design. All models come in a wide variety of

sizes to accommodate length, height and capacity requirements.

The FSH can be powered hydraulically, using an electric motor or through the use of a stand alone diesel engine. Multiple control, conveyor and pre-wet options are also available.

Henderson has a heavy-duty spreader that’s perfect for any operation or budget. The FSH; built to perform.



- Inside seams are continuously welded for extreme duty. Sides and ends are 10-gauge and floor is 7-gauge steel.
- Top edge of hopper is a formed “J” channel for added rigidity and strength.
- Conveyor is 24” wide, all steel pintle-type chain. The FSH-I and II have 1/4” x 1-1/2” crossbars while the FSH-III has 3/8” x 1-1/2” crossbars. Crossbars are spaced on 4-1/2” centers. Sprockets are cast iron and are keyed to the drive and idler shafts to prevent slippage and maintain chain alignment.
- Conveyor chain is protected by a formed 10-gauge shield in the FSH-I and II. A replaceable bolt-in shield is standard on the FSH-III and optional on the FSH-II.
- Two 5/8” stainless steel chain adjusters with 4” of idler adjustment provide optimum chain tension.
- **OPTIONAL** - single or dual augers for reduced maintenance and a consistent material flow.
- **OPTIONAL** - conveyor gearbox has thru-shaft for electronic control system speed sensor hook-up.
- **OPTIONAL** - 3/4 hp electric motor and high efficiency helical bevel gearbox. Multiple control options available.
- The hydraulic or electric motor is mounted directly to the gear case to eliminate sprockets, chains and couplers for reduced maintenance.
- The telescopic chute assembly is 10-gauge steel and is totally enclosed with two internal adjustable baffles. Three external adjustable deflectors and one front fixed deflector with overlapping corners also contribute to accurate control of material spread pattern. A quick latching bypass chute diverts material behind the spinner chute for fast unloading.
- The 20” dia. spinner disk with replaceable hub and six (6) vanes are constructed of 10-gauge stainless steel. Poly disk is optional.
- All surfaces are high-pressure cleaned and degreased with a phosphate solution before being primed and finish painted with Highway Orange paint.

The Dependable Ones™

FSH DIMENSIONS & CAPACITY CHART

LENGTH	CUBIC YARD CAPACITY (struck)			WEIGHTS (Approx.)			TRUCK CHASSIS
	SIDE HEIGHT			SIDE HEIGHT			
	48" or 50"	54" or 56"	60" or 62"	50"	56"	62"	
8'	4.5	5.5	6.5	1760	1845	1930	60" CA
9'	5.1	6.2	7.4	1905	1995	2085	72" CA
10'	5.6	6.9	8.3	2070	2166	2262	84" CA
11'	6.2	7.6	9.0	2225	2327	2429	96" CA
12'	6.8	8.4	9.9	2380	2488	2596	108" CA
13'	7.3	9.0	10.7	2535	2649	2763	96" CT
14'	7.9	9.7	11.6	2690	2810	2930	108" CT
15'	8.4	10.3	12.2	2845	2971	3097	120" CT
16'	8.9	11.0	13.0	3001	3132	3264	132" CT

FEATURE	FSH-I	FSH-II	FSH-III
Lengths	8' - 16'	8' - 16'	8' - 16'
Outside Width	84"	84"	84"
Overall Height	48", 54", 60" or 66"	50", 56", 62" or 68"	50", 56", 62" or 68"
Conveyor Style	<ul style="list-style-type: none"> 6-tooth sprockets 1-1/2" dia. drive shaft with roller bearings Pintle type conveyor chain with 1/4" x 1-1/2" crossbars on 4-1/2" centers 	<ul style="list-style-type: none"> 8-tooth sprockets 1-1/2" dia. drive shaft with roller bearings Pintle type conveyor chain with 1/4" x 1-1/2" crossbars on 4-1/2" centers 	<ul style="list-style-type: none"> 8-tooth sprockets 2" dia. drive shaft with roller bearings Pintle type conveyor chain with 3/8" x 1-1/2" crossbars on 4-1/2" centers
Idler Type	<ul style="list-style-type: none"> 1-1/4" dia. shaft with roller bearings 4" idler adjustment spring loaded optional 	<ul style="list-style-type: none"> 1-1/2" dia. shaft with roller bearings 4" spring loaded idler adjustment 	<ul style="list-style-type: none"> 2" dia. shaft with roller bearings 4" spring loaded idler adjustment
Conveyor Gearbox Drive	50:1 worm gear 25:1 worm gear	50:1 worm gear 25:1 worm gear	6:1 spur gearbox 50:1 or 25:1 worm gear Electric - high efficiency helical bevel
Chain Shields	Standard: formed	Standard: formed Option: bolt-in (replaceable)	Standard: bolt-in (replaceable)

BODY

Sides, ends and side supports are of 10-gauge steel and are continuous-seam welded from the inside. Side slope is 45° with front slope at 18° and rear slope at 9°. Floor is replaceable 7-gauge steel. Longsills are 7-gauge steel continuous-seam welded to the sides on mild steel units. Top edge of hopper is formed "J" channel, 1-5/8" x 3/4". Feedgate is 10-gauge 10" x 18", screwjack adjustable from curb side. Download pressure is reduced by an adjustable inverted vee (optional) to reduce material compaction.

CONVEYOR

Rear discharge pintle chain conveyor is 24" wide. Chain tension adjusting rod is 5/8" stainless steel. Idler adjustment is 4" and spring-loaded.

SPINNER CHUTE ASSEMBLY

Completely enclosed telescopic design is of 10-gauge steel. Top-mounted hydraulic spinner motor is enclosed in the chute to maximize material flow to the spinner disk, improving spread pattern. It is mounted directly to the spinner for elimination of shaft and bearings. Two (2) internal baffles direct material flow onto the spinner disk for directional spread control.

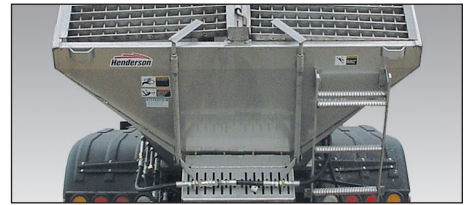
Three (3) external adjustable deflectors and one front fixed deflector with overlapping corners contribute to precise control of material spread pattern. The adjustable spinner deflectors are easily replaceable without tools for easy servicing. A quick latching spreader bypass chute diverts material behind the spinner chute for fast unloading. Spinner disk is 20" dia., 10-gauge steel with replaceable hub. Six (6) 10-gauge stainless steel vanes are bolt-on and replaceable.

PAINT

All metal surfaces are high pressure cleaned with a phosphate solution to remove slag, spatter, oxide and oil residue. The entire body is primed with high quality catalyzed primer and then finished with Highway Orange grade enamel. The 201 & 304 stainless steel units are unpainted.

CONTROL VALVE - OPTIONAL

Speed of conveyor and spinner motors is controlled by a dual pressure compensated control valve with a relief pre-set at 1,500 PSI. Valve has twelve (12) detent settings for each circuit and an independent on/off valve to allow start/stop without changing application rate.

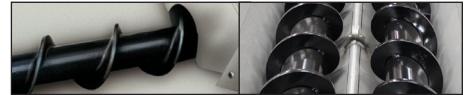


SAFETY INTERLOCK

Required with optional single or dual augers. For safety, auger motors must be disabled before operator can open top grate screens.

OPTIONS

- 201 or 304 stainless
- Top grate screens
- Inverted vee
- Extended front idler adjusters
- Extended front idler grease tubes
- Hold down kits
- 18 HP engine group
- Rubber side spill shields
- Roller chain
- Chain oiler
- Cab shields
- Spacer bars
- Ladders
- Bumpers
- Centerline diverter chute
- Catwalks and frame mount kit
- Side tubes and rear hoses
- Short hose kit with quick couplers
- Automatic control systems
- Tilt-Up Spinner Chute
- Conveyor motor sensor
- 20" poly spinner disk
- Tailgate trunnion latch
- Spinner chute extension
- Quick couplers
- Body guides



OPTIONAL SINGLE AUGER CONVEYOR

Seven-inch (7") auger conveyor provides a more even flow than a standard chain conveyor with less maintenance. A patented safety interlock feature helps prevent personal injury from the auger.

OPTIONAL DUAL AUGER CONVEYOR

Two counter-rotating augers create a smooth spread, breaking up clumps and prevents bridging of material. Auger shafts utilize a polyurethane bushing at both ends of each auger to eliminate seizing and ensure ease of maintenance.

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HP-072 01/22



Feb 07, 2025

CITY OF FORT SMITH
3900 KELLEY HWY
FORT SMITH, Arkansas 72904-5610

Dear Matt,

We are pleased to quote the following for your purchase consideration.
One (1) New Weiler Model: G65 Non-Cat Machines with all standard equipment in addition to the additional specifications listed below:

STOCK NUMBER: TBD	SERIAL NUMBER: TBD	YEAR:	SMU:	
SELL PRICE				\$203,377.26
EXT WARRANTY				Included
NET BALANCE DUE				\$203,377.26
TAXABLE BALANCE				\$203,377.26
F.O.B./TERMS: Ft Smith				

WARRANTY

Standard Warranty: 12 Month/Unlimited Hours Full Machine
Extended Warranty: 36 MO 3000 HR PT + Hyd.

Source well Purchasing Contract # 060122-WLR

Thank you for your interest in Riggs CAT and Caterpillar products for your business needs. If there are any questions, please do not hesitate to contact me.

Sincerely,

Machine Sales Representative Riggs CAT
bretta@jariggs.com
479 719 1923

Accepted by _____ on _____

Signature

One (1) New Weiler Model: G65 Non Cat Machines with all standard equipment in addition to the additional specifications listed below:

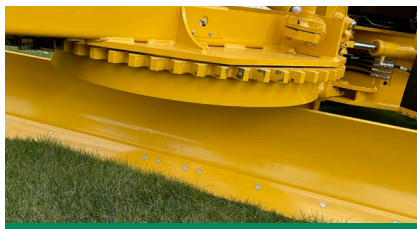
MACHINE SPECIFICATIONS

Weiler ST 5 Grader w/ Cab, Cloth Seat & A/C
Cat 3.6 St 5, 120 HP Engine
AM/FM Bluetooth Radio
Outside Mirrors
2 Front Headlights, 2 Gooseneck Mounted LED Work Lights
Turn and Brake Lights
Direct Linkage Valve Control with Float
10' Moldboard
Hydraulic Moldboard Pitch
US, Canada English Language & Decals
LED Strobe Light
Premium LED Work Lights (2 rear facing, 2 forward facing additional LED lights)
Ripper Prep (Frame mounts only)
Rear Aux Lines w/ Front Attachment
Engine Block Heater



A LINEAGE OF MARKET LEADERS.

Built from a lineage of market leaders for more than 70 years, the G65 dates back to 1949 and the Allis Chalmers "D". Weiler has owned, engineered and enhanced the G65 since 2000 as the industry leading compact motor grader.



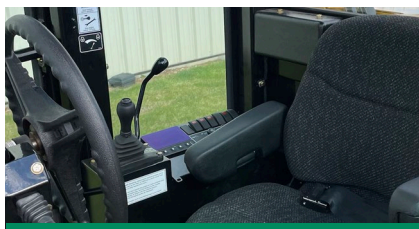
BIG GRADER FEATURES.

The 53" (1346 mm) circle with "A" frame drawbar and standard features not available on competitive models give the G65 the benefit of big grader performance in a compact package.



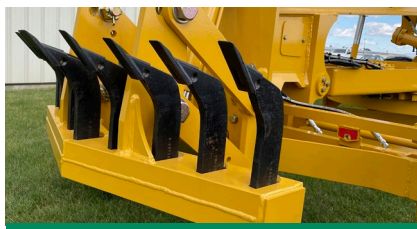
POWER TO PERFORM.

The Cat® C3.6 Tier 4F/Stage V engine with 120 hp (89 kW), powershift transmission with 6 forward and 2 reverse speeds and high capacity torque converter provide power and performance to maximize productivity.



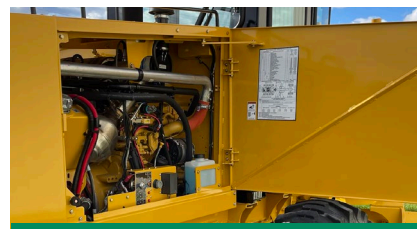
COMFORT AND CONTROL.

Canopy or optional cab with air suspension seat, air conditioning and AM/FM bluetooth radio. The adjustable control console features easy to operate hydraulic controls for articulation, circle side shift, circle turn, moldboard lift/lower, moldboard side shift and wheel lean. Cat® style blade control option available.



VERSATILITY WITH OPTIONAL EQUIPMENT.

The optional moldboard extensions, bank slope, scarifier, dozer blade and ripper add versatility for varying applications. The optional all wheel drive transfers power to the ground to work more efficiently in mud, sand, gravel and snow.



UNMATCHED SERVICE AND SUPPORT.

A shim adjustable circle, electronic monitoring system for temps, pressures and levels and large access doors simplify service. Unmatched Cat® dealer service and support keep your machine up and running.

G65 SPECIFICATIONS

WEIGHT	17,000 lb 7711 kg	ENGINE	Cat® C3.6 Tier 4F/Stage V	MOLDBOARD LENGTH	10'/12' 3/3.7 m
FRONT WEIGHT	5,510 lb 2499 kg	GROSS POWER	120 hp 89 kW	MOLDBOARD HEIGHT	21" 533 mm
REAR WEIGHT	11,490 lb 5212 kg	MAX SPEED	24 mph 39 km/hr	CIRCLE DIAMETER	53" 1346 mm
LENGTH	21' 11" 6.68 m	FUEL CAPACITY	32 gal 121 L	BLADE SIDE SHIFT	17" (L) 432 mm (L) 20" (R) 508 mm (R)
WIDTH	7' 8" 2.34 m	TURNING RADIUS (MIN)	8' 2.4 m	BLADE RANGE	53° to 107.5° +15" to -21" +381 mm to -533 mm
HEIGHT W/ BEACON	10' 4" 3.1 m	ARTICULATION RANGE	25° right and left		

POWERTRAIN

- Cat® C3.6 Tier 4F/Stage V Engine with 120 hp (89 kW)
- Powershift transmission with 6 forward and 2 rear speeds
- High capacity torque converter
- Power brakes, 4 wheel, wet disc and self adjusting
- Max speed of 24 mph (39 km/hr)
- 18' (5.5 m) normal steering turning radius
- 8' (2.4m) turning radius w/ articulated and wheels leaned
- Articulation range of 25°, right and left
- Front axle oscillation of 18° with 20.3" (516 mm) ground clearance

MOLDBOARD

- 10' (3m) standard, 12' (3.7 m) optional moldboard length
- 21" (533 mm) moldboard height
- Rollaway blade with involute curve
- Replaceable cutting edges
- Blade side shift of 17" (432 mm) left and 20" (508 mm) right
- Straight frame shoulder reach 42" (1067 mm) R, 39.1" (933 mm) L
- Articulated frame shoulder reach 62.8" (1595 mm) R, 59.4" (1509 mm) L
- Blade pitch angle from 53° to 107.5°, +15" (381 mm) to -21" (533 mm)

CIRCLE

- 53" (1346 mm) diameter gear driven circle
- Supported by "A" frame
- 4 guides with wear plates
- Shim adjustable
- 360° rotation
- Hydraulic side shift of 16" (406 mm), 8" (203 mm) L/R of center

FRAME

- Loader style articulated frame
- Dual cylinder hydraulic articulation with upper and lower joints
- Floating steel upper bearing and fixed flange steel lower bearing
- 25° angle in either direction
- Internally routed hosing

SALES AND SERVICE

Sold and serviced through Caterpillar dealers worldwide.

WEILERPRODUCTS.COM

OPERATING ENVIRONMENT

- Standard canopy or cab option with air conditioning
- Air suspension seat
- AM/FM Bluetooth radio
- Adjustable control console
- Hydraulic controls for articulation, circle shift/turn, moldboard and lean
- 2 front lights and 2 LED work lights

SERVICE/MAINTENANCE

- Large engine access doors for simplified servicing
- Color display with machine conditions and diagnostics
- Five point tie-down system
- 12 volt battery
- 120 amp alternator

OPTIONAL EQUIPMENT

- Cat® style blade controls
- LED strobe light
- Premium work lights (4 additional LED lights)
- 2' (.6 m) RH moldboard extension
- 2' (.6 m) LH moldboard extension
- Bank slope
- All wheel drive
- 12' (3.7 m) moldboard substitution
- 320 lb (145 kg) front weight
- 640 lb (290 kg) front weight
- Scarifier w/ mount
- Blade w/ mount
- Ripper
- Ripper prep
- Rear aux lines

WARRANTY

12 months standard. Extended warranty available.



Jan 22, 2025

CITY OF FORT SMITH
 FORT SMITH, Arkansas 72904-5610

Dear Harold,

We are pleased to quote the following for your purchase consideration.

One (1) New Caterpillar Model: 265 AH Compact Construction Equipment with all standard equipment in addition to the additional specifications listed below:

STOCK NUMBER: KR45447	SERIAL NUMBER: 0KR405447	YEAR: 2025	SMU: 2	
SELL PRICE				\$92,644.18
EXT WARRANTY				Included
CSA				Included
NET BALANCE DUE				\$92,644.18
TAXABLE BALANCE				\$92,644.18
F.O.B/TERMS: Ft Smith				

PAYMENT TERMS

Cash Invoice Terms

CASH WITH ORDER	QUOTE SELL PRICE
\$0.00	\$92,644.18

WARRANTY

Extended Warranty: 265-60 MO/2500 HR PREMIER
 CSA RIGGS ADVANTAGE - 24 MO / 1000 HR FILTER KIT

Thank you for your interest in Riggs CAT and Caterpillar products for your business needs. If there are any questions, please do not hesitate to contact me.

Sincerely,

Machine Sales Representative Riggs CAT
 bretta@jariggs.com
 +1 (479) 719 1923

Accepted by _____ on _____

 Signature

MACHINE SPECIFICATIONS

265 05A COMPACT TRACK LOADER
 CAB PACKAGE, ULTRA
 GUARDING / SEALING PKG, (HD1)
 TRACK, RUBBER,450MM(17.7 IN)BAR
 RIDE CONTROL, NONE
 FUEL, ELECTRIC PRIMING
 REAR LIGHTS
 DOOR, CAB, POLYCARBONATE
 INTEGRATED RADIO
 SEAT BELT, 2"
 PRODUCT LINK, CELLULAR PLE643
 CERTIFICATION ARR, P65
 INSTRUCTIONS, ANSI, USA
 SERIALIZED TECHNICAL MEDIA KIT
 COUNTERWEIGHT, MACHINE,EXTERNAL

 BUCKET-GP, 80", BOCE

Sourcewell Purchasing Contract

\$127,513.00		Total List Price
(\$26,777.73)	-21.00%	Contract Discount
\$100,735.27		Sub-Total after discount
\$0.00		Freight Charge
\$1,558.00		Prep and Delivery
\$4,657.00		72 Months / 3,000 Hours Premier Warranty
(\$14,306.09)		Machine Volume Discount
\$92,644.18		Final Price

Contract# 020223-CAT



Cat[®] 265

COMPACT TRACK LOADER

FEATURES:

The Cat[®] 265 Compact Track Loader, with its vertical lift design, delivers extended reach and lift height for quick and easy truck loading. Its standard torsion suspension undercarriage system provides superior traction, flotation, stability, and speed to work in a wide range of applications and underfoot conditions. The 265 features the following:

- **Redesigned Operator Station** delivers a larger operating environment, and combined with additional seat travel, the 265 provides more space for operators of any size. The optional **one-piece, sealed, and pressurized cab** offers a clean and quiet workspace with excellent air distribution through optimally placed vents throughout the cab.
- **Available ventilated and heated high-back air ride seat** with seat-mounted adjustable joystick controls deliver industry-leading operator comfort.
- **High-performance power train** provides selectable settings for drive power priority and hystat drive response to customize the machine performance to match the task.
- **Three levels of auxiliary hydraulic performance available** Standard Flow, High Flow, and High Flow XPS. **Standard flow** for attachments that require a base level of auxiliary flow and horsepower, **High Flow** boosts the auxiliary flow for applications that demand additional hydraulic flow for increased attachment performance, and the **High Flow XPS** hydraulic system provides maximum auxiliary hydraulic performance by delivering additional flow and additional pressure for the most demanding attachments and applications.
- **Electronically controlled Cat C2.8TA (turbo after-cooled) engine** meets U.S. EPA Tier 4 Final and EU Stage V emission standards while delivering maximum horsepower across a wide RPM range and providing high torque for increased working performance, no matter the application.
- **Standard torsion suspension undercarriage and standard two-speed travel**, combined with the optional Speed Sensitive Ride Control system improves operation on rough terrain, enabling better load retention, increased productivity, and greater operator comfort.
- **Maximize machine capability and control with the Advanced Joysticks and Advanced Touchscreen Monitor.** The **20.3 cm (8-inch) Advanced Touchscreen Monitor** offers cutting-edge functionality and control that includes an integrated radio, Bluetooth[®] connectivity, and multi-camera (side-view) option, and supports 32 different language choices. The **Advanced Joysticks** provide unmatched control of machine functions and adjustments within the display without operators having to remove their hands from the controls. This includes the on-joystick navigation of the Advanced Touchscreen Monitor, radio volume up/down/mute, creep activation, creep on/off, creep speed increment/decrement, one-button Smart Attachment control activation, and additional auxiliary control buttons that deliver single-button control of complex attachment functions.
- **Ground-level access** to all daily service and routine maintenance points help reduce machine downtime for greater productivity.
- **Broad range of performance-matched Cat Attachments** make the Cat Compact Track Loaders the most versatile machine on the job site.

Specifications

Engine

Engine Model	Cat [®] C2.8TA (turbo after-cooled)	
Gross Power SAE J1995	55.2 kW	74 hp
Net Power SAE 1349	54.9 kW	74 hp
Net Power ISO 9249	54.4 kW	73 hp
Peak Torque at 1,360 rpm SAE J1995	380 N·m	280 lbf·ft
Displacement	2.8 L	171 in ³
Stroke	90 mm	3.5 in
Bore	110 mm	4.3 in

Weights*

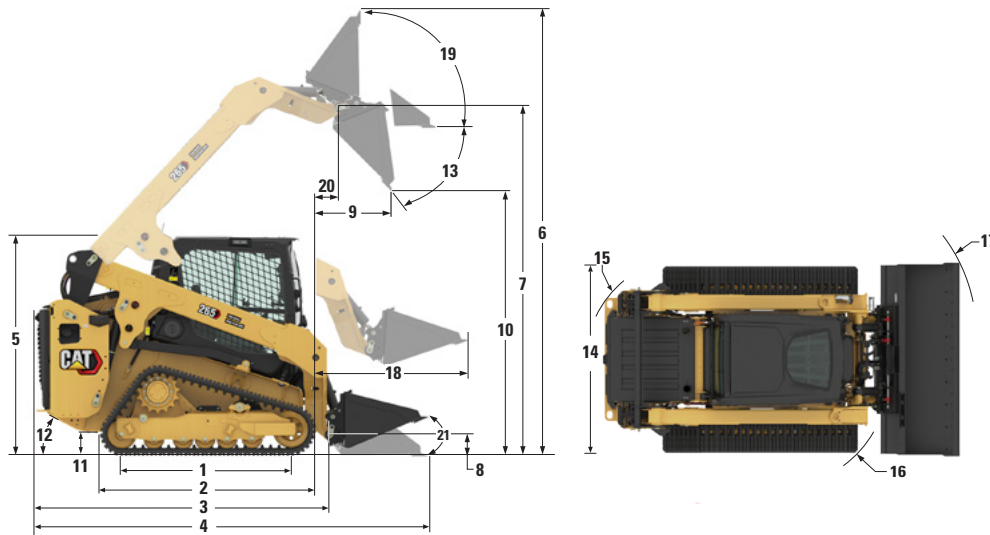
Operating Weight	4759 kg	10,492 lb
Tip Load	3659 kg	8,066 lb
Rated Operating Capacity (ROC) (35%)	1280 kg	2,823 lb
ROC (50%)	1829 kg	4,033 lb

Weights* (continued)

Enclosed Cab Adds to Operating Weight	+82 kg	+180 lb
Tip Load	+97 kg	+214 lb
ROC (35%)	+34 kg	+75 lb
Counterweight Adds to Operating Weight	+125 kg	+276 lb
Tip Load	+224 kg	+494 lb
ROC (35%)	+78 kg	+173 lb

*Operating Weight, Operating Specifications, and Dimensions are based on 2036 mm (80") low profile bucket with bolt on cutting edge, 450 mm (17.7") wide track, 75 kg (165 lb) operator, open canopy, mechanical suspension seat, HD battery with disconnect, standard flow hydraulics, manual coupler, and full fluids. No external counterweights, and no dual self-level/return-to-dig/work tool positioner.

265 Compact Track Loader



Dimensions*

1 Length of Track on Ground	1626 mm	64.0 in	12 Departure Angle	28.2°
2 Overall Length of Track	2126 mm	83.7 in	13 Maximum Dump Angle	46.4°
3 Length without Bucket	2950 mm	116.1 in	14 Vehicle Width (450 mm/17.7 in tracks)	1925 mm 75.8 in
4 Length with Bucket on Ground	3580 mm	140.9 in	15 Turning Radius from Center – Machine Rear	1741 mm 68.5 in
5 Height to Top of Cab	2115 mm	83.3 in	16 Turning Radius from Center – Coupler	1436 mm 56.5 in
6 Maximum Overall Height	4173 mm	164.3 in	17 Turning Radius from Center – Bucket (racked)	2229 mm 87.8 in
7 Bucket Pin Height at Maximum Lift	3354 mm	132.0 in	18 Maximum Reach with Arms Parallel to Ground	1187 mm 46.7 in
8 Bucket Pin Height at Carry Position	213 mm	8.4 in	19 Rack Back Angle at Maximum Height	85.3°
9 Reach at Maximum Lift and Dump	638 mm	25.1 in	20 Bucket Pin Reach at Maximum Lift	249 mm 9.8 in
10 Clearance at Maximum Lift and Dump	2655 mm	104.5 in	21 Bucket rollback angle (ground level)	27°
11 Ground Clearance	216 mm	8.5 in		

Power Train

Travel Speed (Forward or Reverse)		
One Speed	8 km/h	5 mph
Two Speed	13 km/h	8.1 mph

Hydraulic System

Hydraulic Flow – Standard:		
Loader Hydraulic Pressure	24 130 kPa	3,500 psi
Loader Hydraulic Flow	86 L/min	23 gal/min
Hydraulic Power (calculated)	34.6 kW	46.4 hp
Hydraulic Flow – High Flow:		
Loader Hydraulic Pressure	24 130 kPa	3,500 psi
Loader Hydraulic Flow	113 L/min	30 gal/min
Hydraulic Power (calculated)	45.4 kW	60.9 hp
Hydraulic Flow – High Flow XPS:		
Loader Hydraulic Pressure	28 000 kPa	4,061 psi
Loader Hydraulic Flow	129 L/min	34 gal/min
Hydraulic Power (calculated)	60.2 kW	80.7 hp

Operating Specifications*

Rated Operating Capacity:		
35% Tipping Load	1280 kg	2,823 lb
50% Tipping Load	1829 kg	4,033 lb
Rated Operating Capacity with Optional Counterweight (at 35%)		
Tipping Load	3659 kg	8,066 lb
Breakout Force, Tilt Cylinder	3937 kg	8,680 lb
Breakout Force, Lift Cylinder	3057 kg	6,739 lb
Ground Contact Area (450 mm/17.7 in track)	1.46 m ²	2,268 in ²
Ground Pressure (450 mm/17.7 in tracks)	31.9 kPa	4.6 psi

Cab

Rollover Protective Structure (ROPS)	ISO 3471:2008
Falling Object Protective Structure (FOPS)	ISO 3449:2005 Level I

Service Refill Capacities

Cooling System	10.7 L	2.8 gal
Engine Crankcase	8.2 L	2.2 gal
Fuel Tank	120.0 L	31.7 gal
Hydraulic System	36.8 L	9.7 gal
Hydraulic Tank	26 L	6.9 gal

The following information applies to the machine at the time of final manufacture as configured for sale in the regions covered in this document. The content of this declaration is valid as of the date issued; however, content related to machine features and specifications are subject to change without notice. For additional information, please see the machine's Operation and Maintenance Manual.

For more information on sustainability in action and our progress, please visit <https://www.caterpillar.com/en/company/sustainability>.

Engine

- The Cat® C2.8TA (turbo, after-cooled) engine meets U.S. EPA Tier 4 Final and EU Stage V emission standards.
- Cat diesel engines are required to use ULSD (ultra-low sulfur diesel fuel with 15 ppm of sulfur or less) or ULSD blended with the following lower-carbon intensity fuels up to:
 - ✓ 20% biodiesel FAME (fatty acid methyl ester)
 - ✓ 100% renewable diesel, HVO (hydrotreated vegetable oil) and GTL (gas-to-liquid) fuels

Refer to guidelines for successful application. Please consult your Cat dealer or “Caterpillar Machine Fluids Recommendations” (SEBU6250) for details.

Air Conditioning System

- The air conditioning system on this machine contains the fluorinated greenhouse gas refrigerant R134a (Global Warming Potential = 1430). The system contains 0.85 kg of refrigerant which has a CO₂ equivalent of 1.216 metric tonnes.

Paint

- Based on best available knowledge, the maximum allowable concentration, measured in parts per million (PPM), of the following heavy metals in paint are:
 - Barium < 0.01%
 - Cadmium < 0.01%
 - Chromium < 0.01%
 - Lead < 0.01%

Sound Performance

Inside Cab* – 80 dB(A)

Outside Cab** – 103 dB(A)

- Cab and ROPS are standard in North America and Europe.
 - *The declared dynamic operator sound pressure levels per ISO 6395:2008. The measurements were conducted with the cab doors and windows closed and at 70% of the maximum engine cooling fan speed. The sound level may vary at different engine cooling fan speeds.
 - **The labeled sound power level for the CE marked configurations when measured according to the test procedure and conditions specified in 2000/14/EC.

Oils and Fluids

- Caterpillar factory fills with ethylene glycol coolants. Cat Diesel Engine Antifreeze/Coolant (DEAC) and Cat Extended Life Coolant (ELC) can be recycled. Consult your Cat dealer for more information.
- Cat Bio HYDO™ Advanced is an EU Ecolabel approved biodegradable hydraulic oil.
- Additional fluids are likely to be present, please consult the Operations and Maintenance Manual or the Application and Installation guide for complete fluid recommendations and maintenance intervals.

Features and Technology

- The following features and technology may contribute to fuel savings and/or carbon reduction. Features may vary. Consult your Cat dealer for details.
 - Extended life coolant and long life hydraulic fluid extend maintenance intervals to reduce fluid consumption
 - Boost productivity with Cat technologies like work tool positioner, return to dig and Cat Smart Attachments
 - Save fuel with efficiency features such as foot throttle pedal and cooling system demand fan
 - Remote machine monitoring through onboard Product Link telematics

Recycling

- The materials included in machines are categorized as below with approximate weight percentage. Because of variations of product configurations, the following values in the table may vary.

Material Type	Weight Percentage
Steel	66.31
Rubber	9.23
Iron	7.31
Other	3.95
Nonferrous Metal	3.76
Fluid	3.27
Plastic	2.18
Mixed Metal	1.72
Mixed-Metal and Nonmetal	1.18
Uncategorized	1.08
Mixed Nonmetallic	0.01
Total	100.00

- A machine with higher recyclability rate will ensure more efficient usage of valuable natural resources and enhance End-of-Life value of the product. According to ISO 16714:2008 (Earth-moving machinery – Recyclability and recoverability – Terminology and calculation method), recyclability rate is defined as percentage by mass (mass fraction in percent) of the new machine potentially able to be recycled, reused or both.

All parts in the bill of material are first evaluated by component type based on a list of components defined by the ISO 16714:2008 and Japan CEMA (Construction Equipment Manufacturers Association) standards. Remaining parts are further evaluated for recyclability based on material type.

Because of variations of product configurations, the following values in the table may vary.

Recyclability – 95%

The data provided above was based on the product configuration as provided by the individual product group.

265 Compact Track Loader

ATTACHMENTS

Get more from your machine with Cat attachments. Choose from a wide variety of options and tailor your machine to different tasks and conditions.

- Augers
- Backhoes
- Bale Grabs
- Bale Spears
- Blades, Grader, Box, Angle and Dozer
- Brooms, Angle, Pickup and Utility
- Brushcutters
- Buckets
- Cold Planers
- Compactors
- Fork Tines and Carriages
- Hammers
- Material Handling Arm
- Mulchers
- Nursery Forks
- Rakes, Grapple, Landscape and Power Box
- Shears
- Snow Blowers
- Snow Plows
- Snow Pushes
- Snow Wings
- Stump Grinders
- Tillers
- Trenchers
- Wheel Saws
- Smart Backhoe
- Smart Dozer Blade with Assist
- Smart Grader Blade with Assist



MANDATORY EQUIPMENT

- Quick Coupler: Manual or Hydraulic
- High Visibility Seat Belt: 50 mm (2 in), 75 mm (3 in), or 3-point lap/shoulder
- Steel Imbed Rubber Track – 450 mm (17.7 in) bar tread, 450 mm (17.7 in) block tread
- Dual Flange Front Idler/Single Flange Rear Idler or Triple Flange Front/Rear Idlers

PERFORMANCE PACKAGES

- Performance Package HP1: *Standard Flow Hydraulics*
- Performance Package HP3: *High Flow XPS Hydraulics*

COMFORT PACKAGES

- Open canopy: *Cup Holder, Cell Phone Pocket, choice of vinyl Seat (Mechanical Suspension, High Back/Heated/Air Ride Seat)*
- Enclosed Cab with heat and air conditioning: *Side Windows, Cup Holder, Cell Phone Pocket, choice of Seat (Mechanical Suspension, High Back/Heated Air Ride Seat, High Back/Ventilated and Heated Air Ride Seat) and Door choice (Glass or Polycarbonate)*

TECHNOLOGY PACKAGES

- T2 – *Standard Display, Standard Joysticks, traditional Key Start switch, and Rear-view camera.*
- T4 – *Advanced Touchscreen Monitor, Advanced Joysticks, Push start, X-mount cell phone holder, and a Rear-view camera.*
- T5 – *T4 + 2 additional side view cameras.*

RADIO

- Radio, *none* – *for open canopy machines and countries not certified for Bluetooth® technology*
- Integrated AM/FM radio with Bluetooth technology. *Includes USB port, 3.5 mm (0.13 in) AUX input, and BT microphone. Only for use with enclosed cab. Availability varies by country.*
- Integrated DAB+/AM/FM radio with Bluetooth technology. *Includes USB port, 3.5 mm (0.13 in) AUX input, and BT microphone. Only for use with enclosed cab. Availability varies by country.*

PRODUCT LINK™

- Product Link™ Basic series PL243
- Product Link Elite series PLE643

COOLING FAN

- On-demand, variable speed hydraulic cooling fan
- On-demand, variable speed hydraulic cooling fan, with automatic and manual purge reversing operation

GUARDING AND SEALING PACKAGES

- HD0 – *base guarding and sealing (engine air inlet rain cap, front cab-to-frame sealing, and hydraulic fill access door)*
- HD1 – *intermediate guarding and sealing† (HD0 + cab-to-frame side sealing, lockable fuel fill access door, tilt cylinder guarding, and drive line bottom guarding.)*
- HD2 – *most comprehensive guarding and sealing† (HD1 + turbo guard, exhaust stack wrap, DPF wrap, quick disconnect guarding, fully enclosed drive line guarding, under step hydraulic lines guard cover, engine air inlet pre-cleaner.)*

†Some equipment varies by region.

265 Compact Track Loader

STANDARD EQUIPMENT

ELECTRICAL

- Work Tool Electrical Harness
- Heavy duty battery
- Battery disconnect with lockout feature
- 12-volt Electrical System
- 85 Ampere Alternator
- LED Work Lights
- Auto Reverse Lights
- Switch Backlighting
- Interior LED Dome Light
- Backup Alarm
- Electrical Outlet, Beacon
- Exterior Courtesy Lighting

OPERATOR ENVIRONMENT

- Full color LCD monitor: *Creep speed control, Drive response adjustment, Implement response adjustment, Drive Power Priority adjustment, Language selection (× 32), Multi-operator Anti-theft Security System and Monitoring, Maintenance schedule and reminders, Event and Diagnostic Code monitoring, Date /Time/ Units/Brightness settings, and Smart Technology for use with Smart Attachments.*
- Operator Warning System Indicators: *Air Filter Restriction, Alternator Output, Armrest Raised/Operator Out of Seat, Engine Coolant Temperature, Engine Oil Pressure, Glow Plug Activation, Hydraulic Supply Filter Restriction, Hydraulic Oil Temperature, Park Brake Engaged, Engine Emission System (where applicable)*
- Gauges: *Fuel Level, Hour Meter, Hydraulic Temperature, Hour Meter, Battery Voltage, Tachometer*
- Fold In Ergonomic Contoured Armrest
- Control Interlock System, when operator leaves seat or armrest raised: *Hydraulic System Disables, Hydrostatic Transmission Disables, Parking Brake Engages*
- ROPS Cab, Tilt Up
- FOPS, Level I
- Top and Rear Windows
- Floor Mat
- Headliner
- Interior Rearview Mirror
- Horn
- Hand (Dial) Throttle, Electronic
- Seat Mounted Joystick Controls
- Cell Phone Storage Pocket
- Cup Holder
- 12-volt power port
- Foot Throttle
- Rear-view Camera

HYDRAULICS

- Selectable control pattern – ISO or H
- Electro/hydraulic implement control
- Electro/hydraulic hydrostatic transmission control
- Speed sensor guarding
- Heavy duty flat faced quick disconnects with integrated pressure release lever
- Hydraulic oil level sight gauge

POWER TRAIN

- Cat C2.8TA turbocharged, after-cooled diesel engine, meeting Tier 4 Final and Stage V Emission Standards:
 - Glow plugs starting aid
 - Liquid cooled, direct injection
- Extended life antifreeze (–37° C, –34° F)
- Air cleaner, dual element, radial seal
- Scheduled Oil Sampling (S-O-SSM) Valve, Hydraulic Oil
- Ecology drain – coolant
- Radiator coolant level sight gauge
- Radiator expansion bottle
- Filter, hydraulic supply, cartridge type
- Filter, hydraulic return, cartridge type
- Filter, canister type, engine oil
- Filter, canister type, fuel and water separator
- Radiator/hydraulic oil
- Cooler (side-by-side)
- Spring applied, hydraulically released, parking brakes
- Hydrostatic transmission
- Lockable fuel cap
- Hydraulic demand cooling fan
- Auto engine idle

UNDERCARRIAGE

- Torsion Suspension (4 independent torsion axles)
- Two speed travel
- Integrated tie downs on track frame (4)

FRAME

- Machine tie down points (9)
- Removable panels for machine frame cleanout
- Support, lift arm
- Steel rear and front bumpers, welded
- Fuel fill, machine right hand side

OTHER

- Auxiliary Hydraulics, Continuous Flow
- Telematics, Product Link, Cellular
- Steel engine door with replaceable louvers
- Engine door – lockable
- Work tool attachment coupler
- Cat ToughGuard™ hose

OPTIONAL EQUIPMENT

- External Counterweights
- Beacon, LED
- Engine Block Heater – 120V
- Oil, Hydraulic, Cold Operation
- 4-point machine lifting eyes
- Paint, Custom
- Speed Sensitive Ride Control
- Bluetooth Key Security
- Attachment Hose Guide
- Corrosion Inhibitor Coating

265 Compact Track Loader

For more complete information on Cat products, dealer services, and industry solutions, visit us on the web at www.cat.com

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Materials and specifications are subject to change without notice. Featured machines in photos may include additional equipment. See your Cat dealer for available options.

CAT, CATERPILLAR, LET'S DO THE WORK, their respective logos, "Caterpillar Corporate Yellow," the "Power Edge" and Cat "Modern Hex" trade dress as well as corporate and product identity used herein, are trademarks of Caterpillar and may not be used without permission.

AEHQ8451-03 (06-2024)
Replaces AEHQ8451-02
Build Number: 05A
(N Am, EU, Chile, Turkey,
Colombia, S Korea)



Customer:

Quotes are valid for 30 days from the creation date or upon contract expiration, whichever occurs first.

A Purchase Order (PO) or Letter of Intent (LOI) including the below information is required to proceed with this sale. The PO or LOI will be returned if information is missing.

Vendor: Deere & Company

- 2000 John Deere Run
Cary, NC 27513

- Signature on all LOIs and POs with a signature line
- Contract name or number; or JD Quote ID
- Sold to street address
- Ship to street address (no PO box)
- Bill to contact name and phone number
- Bill to address

- Bill to email address (required to send the invoice and/or to obtain the tax exemption certificate)

- Membership number if required by the contract

For any questions, please contact:

Timothy Harp

P & K Equipment, Inc.
3421 South Zero
Fort Smith, AR 72908

Tel: 479-242-3337

Fax: 479-242-3338

Email: tharp@pkequipment.com

Quotes of equipment offered through contracts between Deere & Company, its divisions and subsidiaries (collectively "Deere") and government agencies are subject to audit and access by Deere's Strategic Accounts Business Division to ensure compliance with the terms and conditions of the contracts.

Quote Id: 32282083

**ALL PURCHASE ORDERS MUST BE MADE OUT
TO (VENDOR):**

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

**ALL PURCHASE ORDERS MUST BE SENT
TO DELIVERING DEALER:**

P & K Equipment, Inc.
3421 South Zero
Fort Smith, AR 72908
479-242-3337
ftsmith@pkequipment.com

Prepared For:
Dewayne Easton
CITY OF FORT SMITH STREETS DEPARTMENT

Proposal For:
Dewayne Easton

Delivering Dealer:

Timothy Harp

P & K Equipment, Inc.
3421 South Zero
Fort Smith, AR 72908

ftsmith@pkequipment.com

Quote Prepared By:

Timothy Harp
tharp@pkequipment.com

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

P & K Equipment, Inc.
3421 South Zero
Fort Smith, AR 72908
479-242-3337
ftsmith@pkequipment.com

Quote Summary

Prepared For:

Dewayne Easton
CITY OF FORT SMITH STREETS DEPARTMENT
Dewayne Easton
3900 KELLEY HWY
FORT SMITH, AR 72904
Home : 479-926-2230
DEASTON@FORTSMITHAR.GOV

Delivering Dealer:

P & K Equipment, Inc.
Timothy Harp
3421 South Zero
Fort Smith, AR 72908
Phone: 479-242-3337
tharp@pkequipment.com

Thank you - we appreciate your business!

Prices listed include all applicable bonuses & rebates.

Quote ID: 32282083
Created On: 31 January 2025
Last Modified On: 11 February 2025
Expiration Date: 05 March 2025

WARRANTY INFORMATION: FOR **NEW** EQUIPMENT, PLEASE SEE THE MANUFACTURER'S WARRANTY STATEMENT FOR DETAILS. FOR **USED** EQUIPMENT, EQUIPMENT IS SOLD "AS-IS" WITH NO WARRANTIES EITHER EXPRESSED OR IMPLIED.

By signing below, the customer acknowledges that he/she has received a copy of the operator's manual for new equipment.

Equipment Summary	Selling Price	Qty	Extended
JOHN DEERE 5090E Open Operator Station Tractor	\$ 78,769.54 X	1 =	\$ 78,769.54
Contract: AR Ag Tractors Sourcewell PA 4600053973 (PG 0C CG 22)			
Price Effective Date: January 30, 2025			
Equipment Total			\$ 78,769.54

* Includes Fees and Non-contract items

Quote Summary

Equipment Total	\$ 78,769.54
Trade In	
SubTotal	\$ 78,769.54
Est. Service	\$ 0.00
Agreement Tax	
Total	\$ 78,769.54
Down Payment	(0.00)
Rental Applied	(0.00)

Salesperson : X _____

Accepted By : X _____

**ALL PURCHASE ORDERS MUST BE MADE OUT
TO (VENDOR):**

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

**ALL PURCHASE ORDERS MUST BE SENT
TO DELIVERING DEALER:**

P & K Equipment, Inc.
3421 South Zero
Fort Smith, AR 72908
479-242-3337
ftsmith@pkequipment.com

Balance Due**\$ 78,769.54**

Selling Equipment

Quote Id: 32282083

Customer Name: CITY OF FORT SMITH STREETS DEPARTMENT

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

 Deere & Company
 2000 John Deere Run
 Cary, NC 27513
 FED ID: 36-2382580
 UEID: FNSWEDARMK53

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

 P & K Equipment, Inc.
 3421 South Zero
 Fort Smith, AR 72908
 479-242-3337
 fsmith@pkequipment.com

JOHN DEERE 5090E Open Operator Station Tractor

Hours:
Stock Number:
Contract: AR Ag Tractors Sourcewell PA 4600053973 (PG
 0C CG 22)

Selling Price *
 \$ 78,769.54

Price Effective Date: January 30, 2025

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
08AJP	5090E Open Operator Station Tractor	1	\$ 64,574.00	19.00	\$ 12,269.06	\$ 52,304.94	\$ 52,304.94
Standard Options - Per Unit							
182A	Less AutoTrac™/ Less ISOBUS	1	\$ 0.00	19.00	\$ 0.00	\$ 0.00	\$ 0.00
183N	JDLink™ Modem	1	\$ 0.00	19.00	\$ 0.00	\$ 0.00	\$ 0.00
0202	United States	1	\$ 0.00	19.00	\$ 0.00	\$ 0.00	\$ 0.00
0409	English Operator's Manual	1	\$ 0.00	19.00	\$ 0.00	\$ 0.00	\$ 0.00
0500	Less Package	1	\$ 0.00	19.00	\$ 0.00	\$ 0.00	\$ 0.00
1381	12F x 12R PowrReverser™ Transmission	1	\$ 0.00	19.00	\$ 0.00	\$ 0.00	\$ 0.00
1799	Less Loader Prep Package	1	\$ 0.00	19.00	\$ 0.00	\$ 0.00	\$ 0.00
1950	Less Application	1	\$ 0.00	19.00	\$ 0.00	\$ 0.00	\$ 0.00
2000	Open Operator Station	1	\$ 0.00	19.00	\$ 0.00	\$ 0.00	\$ 0.00
2110	Mechanical Suspension Seat	1	\$ 0.00	19.00	\$ 0.00	\$ 0.00	\$ 0.00
3020	Vertical Exhaust	1	\$ 0.00	19.00	\$ 0.00	\$ 0.00	\$ 0.00
3320	Dual Stackable Rear Valve with Lever Controls	1	\$ 0.00	19.00	\$ 0.00	\$ 0.00	\$ 0.00
3400	Less Mid Valves	1	\$ 0.00	19.00	\$ 0.00	\$ 0.00	\$ 0.00
3820	Two Speed PTO - 540/540E rpm	1	\$ 0.00	19.00	\$ 0.00	\$ 0.00	\$ 0.00
5192	19.5L-24 In. 10PR R4 Bias	1	\$ -559.00	19.00	\$ -106.21	\$ -452.79	\$ -452.79
6040	MFWD (Mechanical Front Wheel Drive) Front Axle	1	\$ 0.00	19.00	\$ 0.00	\$ 0.00	\$ 0.00
6133	12.5/80-18 10PR I3(R4 TYPE)	1	\$ -1,008.00	19.00	\$ -191.52	\$ -816.48	\$ -816.48
Standard Options Total			\$ -1,567.00		\$ -297.73	\$ -1,269.27	\$ -1,269.27

Selling Equipment

Quote Id: 32282083

Customer Name: CITY OF FORT SMITH STREETS DEPARTMENT

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

 Deere & Company
 2000 John Deere Run
 Cary, NC 27513
 FED ID: 36-2382580
 UEID: FNSWEDARMK53

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

 P & K Equipment, Inc.
 3421 South Zero
 Fort Smith, AR 72908
 479-242-3337
 fsmith@pkequipment.com

Technology Options/Non-Contract/Open Market							
1900	Less Display	1	\$ 0.00	19.00	\$ 0.00	\$ 0.00	\$ 0.00
1880	Less Receiver	1	\$ 0.00	19.00	\$ 0.00	\$ 0.00	\$ 0.00
Technology Options Total			\$ 0.00		\$ 0.00	\$ 0.00	\$ 0.00
Dealer Attachments/Non-Contract/Open Market							
R127764	Weight, front suitcase 43 kg (95 lb) quantity of one	10	\$ 156.65	19.00	\$ 29.76	\$ 1,268.90	\$ 1,268.90
R262449	Front Weight Support, 55kg (121 lb)	1	\$ 682.65	19.00	\$ 129.70	\$ 552.95	\$ 552.95
AL119967	Mount.parts 6,8,10 front weights /	1	\$ 144.29	19.00	\$ 27.42	\$ 116.87	\$ 116.87
610556	CANOPY	1	\$ 399.00	19.00	\$ 75.81	\$ 323.19	\$ 323.19
ALLIED	ALL ITEMS LISTED BELOW	1	\$ 0.00	0.00	\$ 0.00	\$ 0.00	\$ 0.00
RSF075-C	REAR SWING FLAIL	1	\$ 28,602.00	20.00	\$ 5,720.00	\$ 22,882.00	\$ 22,882.00
FREIGHT	FREIGHT	1	\$ 1,000.00	0.00	\$ 0.00	\$ 1,000.00	\$ 1,000.00
INSTALL	INSTALL TO TRACTOR	1	\$ 140.00	0.00	\$ 0.00	\$ 140.00	\$ 140.00
Dealer Attachments Total			\$ 32,534.44		\$ 6,250.53	\$ 26,283.91	\$ 26,283.91
Value Added Services Total			\$ 0.00		\$ 0.00	\$ 0.00	\$ 0.00
Other Charges							
Freight		1	\$ 1,450.00			\$ 1,450.00	\$ 1,450.00
			\$ 1,450.00			\$ 1,450.00	\$ 1,450.00
Suggested Price							\$ 78,769.58
Total Selling Price			\$ 96,991.44		\$ 18,221.86	\$ 78,769.58	\$ 78,769.58



John Deere 5090E Tractor

REAR SWING FLAILS



FINISHING STRONG.



DIAMOND *FROM START TO FINISH.*

Get a sharp, smart, and safe finished cut in more places and under more conditions. Get it done with high-quality, high-powered, and highly reliable Rear Swing Flail Mowers by Diamond. A return on investment you can see, and bank on.

*Demand Brilliance. **DEMAND DIAMOND.***

CLEANS UP NICE

This highly versatile attachment goes into places and conditions where tractors and rotary systems don't dare. Our Rear Swing Flail (RSF) is engineered to provide a well-groomed finished cut, unlike the rough and ragged cut of a rotary mower. The Diamond RSF is ideal for road and irrigation ditch maintenance, and it excels where frequent brush, rock, and debris build-up occurs, like old fence lines. The RSF reaches and trims back roadside brush by utilizing a 90-degree vertical cut feature.

The Diamond RSF also cleans up your bottom line by cutting waste and expense associated with typical mid-mount flail. *Demand Value. Demand Diamond.*



REAR SWING FLAIL MOWERS

SAFETY THAT'S BUILT RIGHT IN

The first rule of safety is to always use the right tool for the job. You're halfway there just by choosing the Diamond Rear Swing Flail.

Our ultra-protective bonnet shields more cutting area than a rotary unit, keeping operator and others safer. And instead of a large, heavy rotary knife, our individual flail knives are far less likely to propel rocks and other pesky debris.

Demand Safety. Demand Diamond.

DIAMOND RSF SPECS

75" HEAVY-DUTY REAR SWING FLAIL

- 540 PTO required
- 75 HP minimum
- 9,500 lb. tractor minimum
- 2 tractor hydraulic remotes required
- Cat II hitch required

ONE-YEAR WARRANTY ON PARTS & LABOR



DIAMOND RSF FEATURES

- Ability to swing out past the rear tire on most tractors
- Mows at a 50° down angle
- Mows at a 90° vertical angle
- Provides a finished cut in hard-to-reach places with side shift and drop
- Able to run in standard or reverse rotation to match cutting conditions

BRILLIANCE COMING AND GOING

Get a sharp, smart and safe finished cut in more places and under more conditions. Get it done with high-quality, high-powered and highly reliable Rear Swing Flail Mowers by Diamond. A return on investment you can see and bank on.

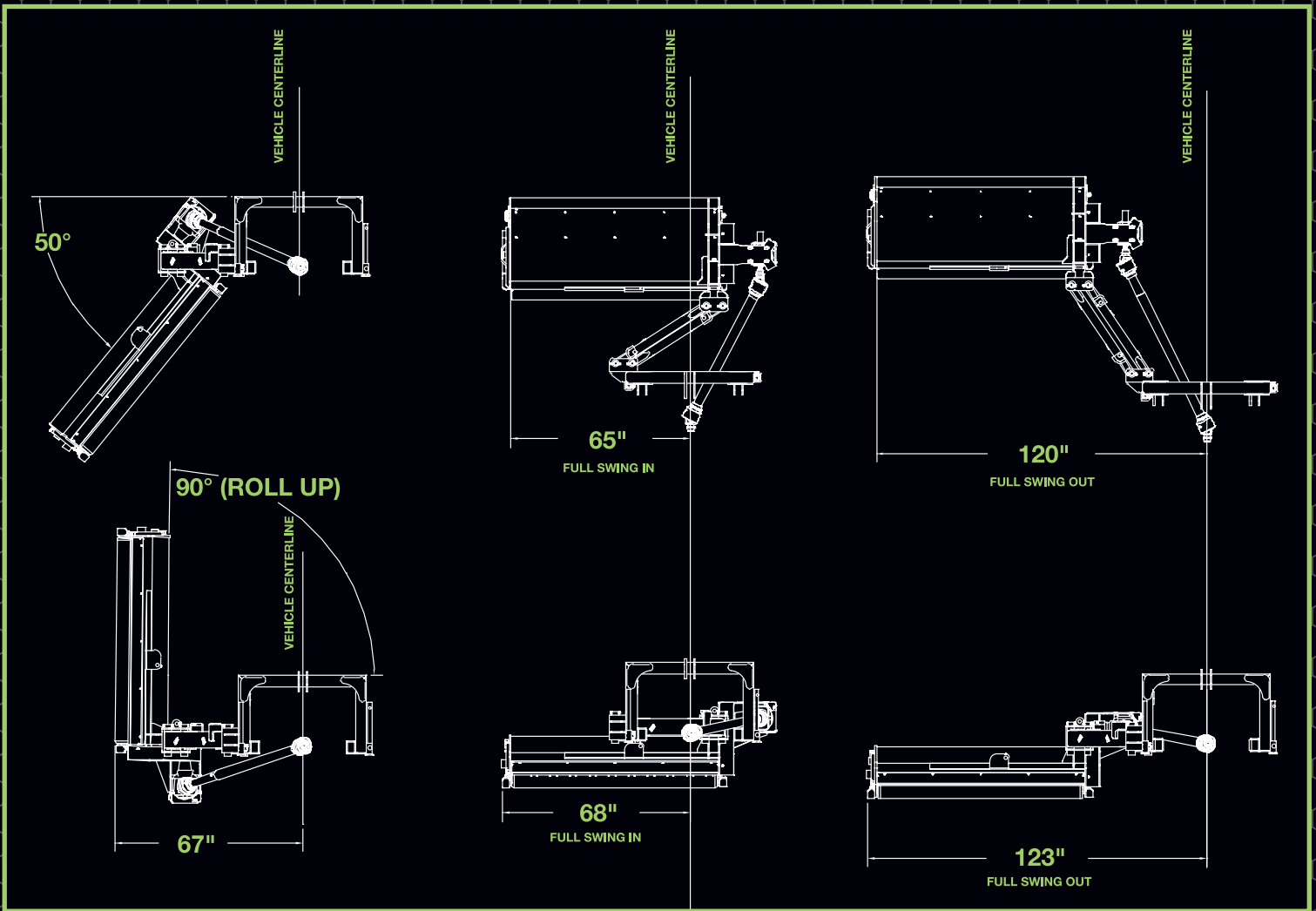


DEMAND BRILLIANCE.



PROUD TO BE AN AMERICAN COMPANY

We take enormous pride in what we build, because we take enormous pride in how and where we build. Every Diamond product is loaded with decades of dedicated hands-on, Made-in-Sioux Falls-SD experience. For over 40 years we've been offering a face-to-face, handshake guarantee on every product we construct.



THERE'S NOTHING QUITE LIKE A DIAMOND FINISH

At Diamond Mowers, no job is done until it's finished. We build the toughest, most reliable, and safest heavy-duty equipment in the business. It's that simple. Every piece of Diamond machinery is made in the USA, including our Rear Swing Flail Mowers.



DEMAND BRILLIANCE.

For more details, go to DiamondMowers.com.

**72-HOUR PARTS
SHIPPING GUARANTEE**

DIAMOND MOWERS

350 EAST 60TH ST. N.
SIOUX FALLS, SD 57104

800-658-5561

**100% SATISFACTION
GUARANTEE**
★ GET IT, LOVE IT & LEAVE IT! ★

International Motors, LLC is pleased to provide you with this proposal compliant with all terms of the Sourcewell Vehicles and Chassis Contract #032824-NVS awarded formerly to Navistar, Inc now International Motors, LLC for new International truck(s). If you have any questions regarding enrollment in Sourcewell or detailed contract terms and conditions, please see your local International Dealer sales representative.

PROPOSAL PREPARED FOR:		PROPOSAL PREPARED BY:	
Sourcewell Member:	City of Fort Smith	Carco International, Inc.	
Contact:	Charity Gregory	Patrick Jacobs	
Address:	623 Garrison Ave	2721 Midland Blvd	
City/State/Zip:	Fort Smith, Ar 72902	Fort Smith, AR 72904	
Phone:	(479) 784-2267	(479) 441-3276	
Email:	charity.gregory@fortsmithar.gov	piacobs@carcoint.com	

Proposal Number	3559
Date	2/6/2025
Quantity of this Specification	1
Single Sourcewell Transaction Total Volume	1

Chassis		
New 2026 International HV607 6x4 Chassis		\$ 187,797.00
Base Chassis List	\$ 122,474.00	
Options List	\$ 65,323.00	
Sourcewell Contract Discount	31.0%	\$ (58,295.99)
Volume Incentive		\$ -
Material Price Increases		\$ -
Net Sourcewell Chassis Price		\$ 129,501.01
Sourcewell Partner Body		
		\$ -
		\$ -
Handling Fee	4.00%	\$ -
Non-Sourcewell Dealer Supplied Body		
		\$ 59,089.00
		\$ -
Handling Fee	5.00%	\$ 2,954.45
Additional Post Build Work		
PDI, DOT, FIRE EXT, SAFETY TRIANGLES, FUEL, DEF		\$ 1,000.00
		\$ -
		\$ -
Handling Fee	5.00%	\$ 50.00
Service Contracts		
60 Month Towing		\$ 1,800.00
60/150K Engine Aftertreatment Coverage Hours Maximum Applies		\$ 3,190.00
		\$ -
Additional Freight		
		\$ -
		\$ -
Additional Floorplan		
		\$ -
		\$ -
Additional Fees & Taxes		
		\$ -
		\$ -
		\$ -
Final Sourcewell Per Vehicle Price FOB Fort Smith, AR		\$ 197,584.46
Final Sourcewell Total Vehicle(s) Price		\$ 197,584.46
<i>Additional Sourcewell Qualified Content</i>		
Silver Package Award		\$1,200

Terms:

Stock unit in dealer's inventory, dealer will accept a final purchase order using the current Sourcewell pricing quoted above.

Dealer placing a new orders for the Sourcewell Member, the purchase order cannot be firm up until the unit is slotted to build with a firm build date or lineset. Once a firm build date has been established, dealer will provide the Sourcewell Member approved pricing and a final purchase order can be accepted with firm pricing. Dealer cannot guarantee bodies and/or equipment pricing added to the chassis for a turnkey sale until chassis is lineset.



2026 International HV607 Concrete Truck



MEMORANDUM

TO: Jeff Dingman, Acting City Administrator
CC: Maggie Rice, Deputy City Administrator
FROM: Sara Deuster, Director of Parks and Recreation
DATE: February 24, 2025
SUBJECT: Contract for Creekmore Park Parking Lot Improvements Phase II

SUMMARY

Included in the FY25-FY29 Parks Capital Improvement Plan is Phase II of improvements to the Creekmore Park parking lot. This phase of the project will address the parking areas to the south and west of the pool, south of the fitness area located within the park, and the main parking area for the park and community center. In addition to repaving and re-striping these lots, certain areas will be reconfigured to better accommodate the flow of traffic around the pool area during sporting events (ex. tennis and swimming), community gatherings, and park events. In addition to increased parking spaces (18 total), this project provides an unloading/loading zone at the entrance to the pool to better accommodate large groups who come in vans and buses who visit the pool. This zone will also allow for a safe drop off/pickup location that does not impede park traffic for school buses throughout the year who bring students to the park for field trips, tennis games, etc.

As was noted in the Parks FY25-FY29 CIP description, due to the need for substantial coordination between construction of the bathhouse project and parking lot improvements, the City chose to work directly with Beshears Construction, Inc. for this project. Selecting Beshears Construction to complete the parking lot improvements allows for more efficient coordination and for the parking lot improvements to be completed simultaneously with the bathhouse project. Beshears Construction has demonstrated its ability to secure competitive pricing through their work as the Construction Manager (CM) for the Creekmore Park Pool Bathhouse & Diving Well project. The competitive pricing offered by Beshears Construction is further demonstrated through its awarded contract through The Interlocal Purchasing System (TIPS Contract No. 24010402), which is a national municipal contracting agency offering national contract purchasing solutions by facilitating and awarding nationally competitively bid contracts. The initial price for this project came in at \$775K. However, through discussions with the engineer, Beshears Construction, and Street Department, certain design modifications were made to reduce the cost of this project. These design changes resulted in a contract amount of \$653,369.66.

The attached Ordinance waives the requirements of competitive bidding and authorizes a contract with Beshears Construction, Inc. for an amount not to exceed \$653,369.66.

This project is in alignment with comprehensive plan policies FLU-1.4 (Ensure adequate, well-

maintained infrastructure, public safety, and public facilities for all development and prevent development ahead of structure and service provision) and NCR-4.1 (Increase the use of parks, open space, and recreational programming to improve the health of Fort Smith residents).

Please let me know should you have any questions or require additional information.

ATTACHMENTS

1. [3-4-25_Item_ID_1540 Ordinance.pdf](#)
2. [3-4-25 Item ID 1540 Site Map.pdf](#)
3. [3-4-25 Item ID 1540 Bid Summary.pdf](#)

FISCAL IMPACT: \$653,369.66

BUDGET INFORMATION: Budgeted / Parks & Recreation - 1/8% Sales and Use Tax

ORDINANCE NO. _____

AN ORDINANCE DECLARING AN EXCEPTIONAL SITUATION, WAIVING THE REQUIREMENTS OF COMPETITIVE BIDDING, AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH BESHEARS CONSTRUCTION, INC. FOR CREEKMORE PARK PARKING LOT IMPROVEMENTS PHASE II

WHEREAS, funding is allocated for improvements to multiple parking areas located at Creekmore Park in the Five Year (2025-2029) 1/8% Sales and Use Tax program for Parks and Recreation Capital Improvement Plan adopted by the Board of Directors via Resolution No. R-222-24 and,

WHEREAS, one of these parking areas is around Creekmore Park Pool and,

WHEREAS, construction of Creekmore Park Pool Bathhouse and Diving Well Enclosure is currently in progress and Beshears Construction, Inc. is serving as the Construction Manager for said project, as authorized via Resolution No. R-183-23 and,

WHEREAS, substantial coordination between the Creekmore Park Pool Bathhouse and Diving Well Enclosure and Creekmore Park Parking Lot Improvements Phase II is necessary due to an overlap in multiple construction areas and,

WHEREAS, Beshears Construction, Inc. has demonstrated its ability to secure competitive pricing through its work on the Creekmore Park Bathhouse and Diving Well Enclosure project and,

WHEREAS, Beshears Construction, Inc. has further demonstrated its ability to secure competitive pricing through its awarded contract with The Interlocal Purchasing System (Contract No. 24010402), which is a national municipal contracting agency offering national contracting solutions by facilitating and awarding nationally competitively bid contracts and,

WHEREAS, the traditional competitive bidding process would not be feasible without delaying the Creekmore Park Parking Lot Improvements Phase II project until after the Creekmore Park Bathhouse and Diving Well Enclosure project is complete.

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

SECTION 1: An exceptional situation exists requiring the waiving of the conditions of competitive bidding, so that competitive bidding requirements are hereby waived for construction of Creekmore Park Parking Lot Improvements Phase II.

SECTION 2: The bid of Beshears Construction, Inc. for construction of Creekmore Park Parking Lot Improvements Phase II is hereby accepted.

SECTION 3: The Mayor, his signature being attested by the City Clerk, is hereby authorized to execute a contract with Beshears Construction, Inc. for an amount not to exceed \$653,369.66 for performing the construction of Creekmore Park Parking Lot Improvements Phase II.

Passed and approved this _____ day of March, 2025.

APPROVED:

Mayor

ATTEST:

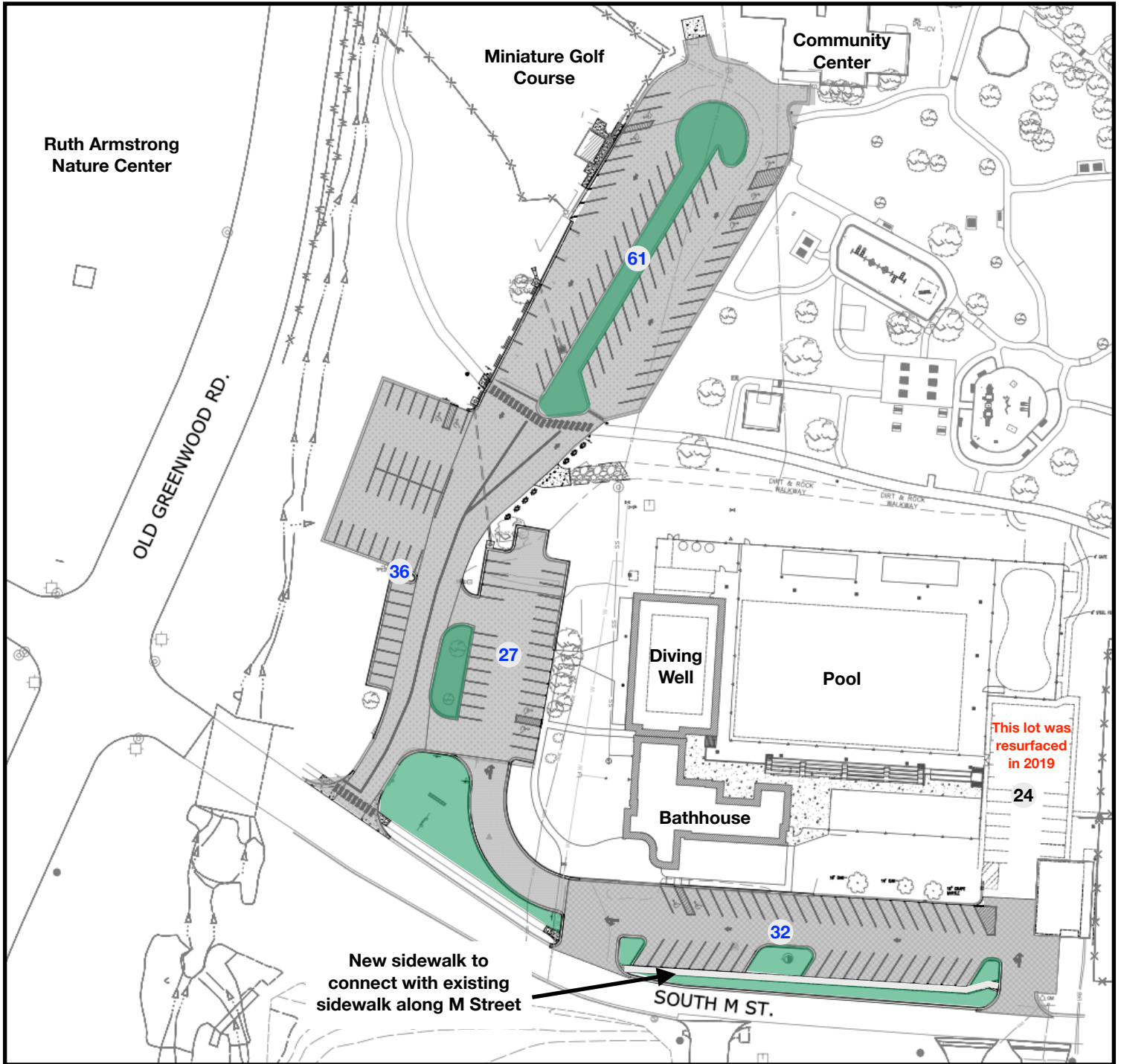
City Clerk

Approved as to form:



City Attorney

Creekmore Park Parking Lot Improvements Phase II Site Plan



Phase II Parking Spaces Breakdown			
Parking Area	Current	Revised	+/(-)
South of Pool	35	32	(3)
West of Pool	22	27	5
West of Access Road	26	36	10
Cul-de-Sac	55	61	6
Total	138	156	18

BID SUMMARY
CITY OF FORT SMITH, ARKANSAS
PARKS & RECREATION DEPARTMENT

CREEKMORE PARK PARKING LOT IMPROVEMENTS
PROJECT NUMBER: 6200230018

Original Design (Full-Depth Reclamation)

<u>CONTRACTOR</u>	<u>TOTAL BID AMOUNT</u>
1. Beshears Construction, Inc. Fort Smith, Arkansas	\$775,983.44
2. Engineer's Estimate	\$767,798.00

Design Modifications (Mill and Overlay)

<u>CONTRACTOR</u>	<u>TOTAL BID AMOUNT</u>
1. Beshears Construction, Inc. Fort Smith, Arkansas	\$653,369.66
2. Engineer's Estimate	\$689,261.00



MEMORANDUM



TO: Jeff Dingman, Acting City Administrator
CC: Maggie Rice, Deputy City Administrator
FROM: Sara Deuster, Director of Parks and Recreation
DATE: February 25, 2025
SUBJECT: Repair of Oak Cemetery Retaining Wall

SUMMARY

Included in the Fiscal Year 2024 Budget was the repair of one of the original stone retaining walls at Oak Cemetery that is nearing collapse. This project was not able to be completed last year, so the approved appropriation was requested as one of our department's Carryover requests (Item No. 5). If the Carryovers are not approved during the March 4, 2025 Regular Meeting, staff request this item be tabled until the March 18, 2025 Regular Meeting so an Ordinance requesting the appropriation of funds for this repair can be prepared.

Steve Beam Construction, Inc. was the sole bidder on this project. Steve Beam Construction is familiar with performing work at Oak Cemetery, as they repaired one of the retaining walls in 2020. This repair will require the temporary removal of 15 headstones. Parks Maintenance Staff will be responsible for removing, storing, cleaning, and resetting the headstones in coordination with a local monument company. A temporary sign will be placed near the repair site noting repairs are necessary, headstones have been temporarily relocated, and contact information for our office should a citizen have any questions/concerns.

The attached resolution authorizes Steve Beam Construction, Inc. to repair the retaining wall at Oak Cemetery for an amount of \$74,849.50.

This project is in alignment with comprehensive plan policies FLU-1.4 (Ensure adequate, well-maintained infrastructure, public safety, and public facilities for all developments...).

ATTACHMENTS

1. [3-4-25_Item_ID_1625_Resolution.pdf](#)
2. [3-4-25 Item ID 1625 Photos.pdf](#)
3. [3-4-25 Item ID 1644 Bid Summary.pdf](#)

FISCAL IMPACT: \$74,849.50
BUDGET INFORMATION: Budgeted (pending approval of Carryovers - Item No. 5) / Parks & Recreation - Program 62020101 - Oak Cemetery

RESOLUTION NO. _____

A RESOLUTION ACCEPTING THE BID AUTHORIZING THE REPAIR OF OAK CEMETERY RETAINING WALL

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

The bid of Steve Beam Construction, Inc. for the repair of a retaining wall at Oak Cemetery for the sum of \$74,849.50 is hereby accepted.

This Resolution adopted this _____ day of March, 2025.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to form:



City Attorney

Oak Cemetery Retaining Wall



Beginning of Section of the Wall to be Repaired



Section of Wall to be Repaired



BID SUMMARY
CITY OF FORT SMITH, ARKANSAS
PARKS & RECREATION DEPARTMENT

OAK CEMETERY RETAINING WALL
PROJECT NUMBER: N/A

BIDS DUE: February 13, 2025
2:00, Parks and Recreation Department

<u>CONTRACTOR</u>	<u>TOTAL BID AMOUNT</u>
1. Steve Beam Construction Fort Smith, Arkansas	\$74,849.50
2. Crawford Construction Company Van Buren, Arkansas	Declined to Bid
3. Beshears Construction, Inc. Fort Smith, Arkansas	Declined to Bid



MEMORANDUM



TO: Jeff Dingman, Acting City Administrator
CC: Maggie Rice, Deputy City Administrator
FROM: Sara Deuster, Director of Parks and Recreation
DATE: February 25, 2025
SUBJECT: Methodist Village Senior Living TAP Grant

SUMMARY

Methodist Village Senior Living is preparing an application for funding through the Arkansas Department of Transportation's Transportation Alternatives Program (TAP). Nonprofit 501(c)3 organizations are eligible applicants for this program, provided an eligible government agency is willing to serve as the official Sponsor for the grant. A letter requesting the City to serve as such is attached for your reference. Methodist Village submitted an application for funding during last year's cycle with the City serving as the official Sponsor ([Resolution No. R-96-24](#)). However, their project did not receive funding, as the City was awarded \$500,000 for Maybranch Greenway. Methodist Village is again seeking funding through this grant program to help complete their project.

Methodist Village is located to the southeast of Carol Ann Cross Park. Residents (and the surrounding neighborhood) must use motorized transportation or travel down a makeshift path to access the park. Methodist Village wishes to create a paved, accessible path to connect their facility to Carol Ann Cross Park to better allow residents to access the park. The 20% local match and any associated fees, such as engineering design, required as part of this grant program will be fully funded by Methodist Village. The attached resolution confirms the willingness of the City to serve as the official Sponsor for the Methodist Village Senior Living Walking Trail Improvements project.

This project is in alignment with the comprehensive plan policies PFS-5.2 (Increase the use of parks, open space, and recreational programming to improve the health of Fort Smith residents), NCR-1 (Increase the amount of open space and opportunities for recreation throughout the City...), and PFS-3.2.3 (Transition from ADA accessibility to inclusion for individuals of all abilities in the renovation & development of all facilities, parks, and trails).

Please let me know should you have any questions or need additional information.

ATTACHMENTS

1. [3-4-25_Item_ID_1644_Resolution.pdf](#)
2. [3-4-25 Item ID 1644 Request Letter.pdf](#)

RESOLUTION NO. _____

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF FORT SMITH TO SERVE AS THE SPONSOR FOR METHODIST VILLAGE SENIOR LIVING CENTER TO UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM FUNDS

WHEREAS, Methodist Village Senior Living Center wishes to submit an application to utilize federal-aid transportation alternative program funds, and

WHEREAS, the transportation alternative program allows for nonprofit 501(c)3 organizations to apply, provided an eligible government agency is willing to serve as the official Sponsor, and

WHEREAS, the City of Fort Smith is willing to serve as the official Sponsor for the Methodist Village Walking Trail project; and

WHEREAS, the Methodist Village Walking Trail will provide access to individuals of all mobilities to Carol Ann Cross Park, a city-owned public park, and

WHEREAS, the Board of Directors understands Federal-aid Transportation Alternatives Program Funds are available at 80% federal participation and 20% local match to develop Methodist Village Walking Trail, and

WHEREAS, Methodist Village Senior Living Center will be the entity responsible for providing the 20% local match to develop Methodist Village Walking Trail, and

WHEREAS, the City of Fort Smith understands that Federal-aid Funds are available for this project on a reimbursable basis, requiring work to be accomplished and proof of payment prior to actual monetary reimbursement, and

WHEREAS, this project, using federal funding, will be open and available for use by the general public and maintained by the applicant for the life of the project.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS THAT:

SECTION 1: The City of Fort Smith will participate in accordance with its designated responsibility as the official Sponsor for the grant application identified in the foregoing whereas clauses.

SECTION 2: The Mayor, his signature being attested by the City Clerk, is hereby authorized and directed to execute all appropriate documents noting the City's service as the official Sponsor for the grant application.

SECTION 3: The Board of Directors pledges its full support and hereby authorizes the Arkansas Department of Transportation to initiate action to implement the described project.

This Resolution adopted this _____ day of March, 2025.

APPROVED:

Mayor

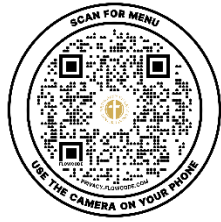
ATTEST:

City Clerk

Approved as to form:



City Attorney



MVSL Foundation

Mission. Vision. Story. Legacy

BOARD OF DIRECTORS

PRESIDENT

SUSAN DEVERO

IMMEDIATE PAST PRESIDENT

BEN SHIPLEY

VICE PRESIDENT

KENNETH SIEBENMORGEN

SECRETARY

BARBARA DIMENT

TREASURER

BRYANT DOOLY, JR.

MEMBERS

AIMEE ARZUMANIAN

SEN. JUSTIN BOYD

DON DESOTO

DEBBIE KRAUS

PAT POWELL

BRUCE SIKES

CHIEF EXECUTIVE OFFICER

MELISSA CURRY

February 24, 2025

Sara Deuster
City of Fort Smith, Director of Parks & Recreation

Dear Sara,

Thank you and the City of Fort Smith Parks and Recreation Department so very much for sponsoring our application for the Transportation Alternatives Program (TAP) Grant.

This project will allow us to tie into the existing trails at Carol Ann Cross Park, allowing citizens, residents, and employees more access to enjoy our beautiful city and what Fort Smith has to offer.

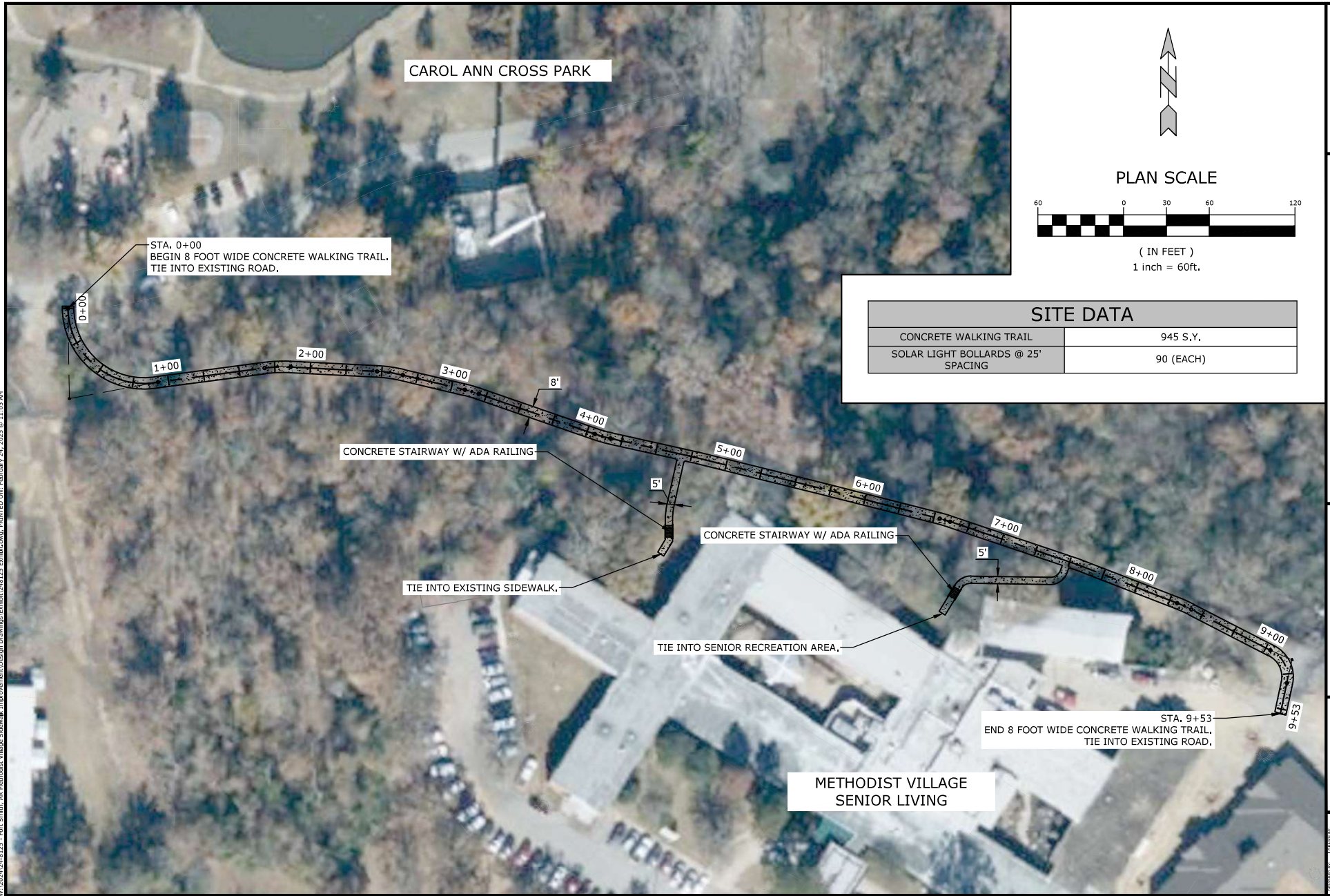
We appreciate your dedication to making Fort Smith an even better place to live, work and play!

Warmest regards,

Melissa Curry, CEO

Tax ID: 23-7457-163

W:\2024\24-8125 - Fort Smith, AR Methodist Village Sidewalk Improvement\Design Drawings\Exhibit\248125 Exhibit.dwg, PRINTED ON: February 24, 2025 @ 11:05 AM



CAROL ANN CROSS PARK

STA. 0+00
BEGIN 8 FOOT WIDE CONCRETE WALKING TRAIL.
TIE INTO EXISTING ROAD.

CONCRETE STAIRWAY W/ ADA RAILING

TIE INTO EXISTING SIDEWALK.

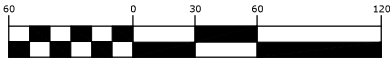
TIE INTO SENIOR RECREATION AREA.

METHODIST VILLAGE
SENIOR LIVING

STA. 9+53
END 8 FOOT WIDE CONCRETE WALKING TRAIL.
TIE INTO EXISTING ROAD.



PLAN SCALE



(IN FEET)
1 inch = 60ft.

SITE DATA	
CONCRETE WALKING TRAIL	945 S.Y.
SOLAR LIGHT BOLLARDS @ 25' SPACING	90 (EACH)

MCE
MCCLELLAND
CONSULTING
ENGINEERS, INC.
2111 EUFRASIA DRIVE, SUITE 5
FORT SMITH, ARKANSAS 72303
(479) 434-5333
http://www.mce2.com

SIDEWALK IMPROVEMENTS
METHODIST VILLAGE
7811 EUFRASIA LANE
FORT SMITH, AR

REV.	DATE	DESCRIPTION

DESIGNED BY	DATE	1
DRAWN BY	DATE	1
CHECKED BY	DATE	1
SCALE	DATE	1
AS NOTED	DATE	1



MEMORANDUM

TO: Honorable Mayor & Members of the Board of Directors
FROM: Jeff Dingman, Acting City Administrator
DATE: February 27, 2025
SUBJECT: Construction Contract for Installation of Waterslide Components at Parrot Island Waterpark

SUMMARY

At the July 9, 2024 meeting, the Board of Directors approved appropriation of \$2.1 million for the purchase of the water slide expansion for Parrot Island Waterpark. Subsequently, at the September 3, 2024 meeting, the Board approved the contract to purchase the waterslides. Finally, at the December 17, 2024 meeting, the Board approved appropriation of the remaining \$2.1 million for what remains of the waterslide project so that the City has all that is needed for the purchase, delivery, design, and installation of the waterslide expansion.

The engineering design is underway and will soon be completed. The City has received a proposed contract from CSM Waterworks, a California company that specializes in installation of waterslides for multiple manufacturers, including our water slide vendor White Water West. CSM will assemble and install the structural steel, fiberglass, and remaining components of the water slides.

The proposed contract in the total amount of \$509,500, over two phases, is attached for your review, as well as an ordinance approving and authorizing the Mayor to sign said contract. Due to the specialized nature of waterslide installation, the ordinance also approves waiving competitive bidding for this work. The intent is still to have four of the slides (Phase 1) on this waterslide complex complete and open at some point during the 2025 operating season. The fifth slide (Phase 2) will not be ready for installation by this summer and will be installed after the park's season ends.

There will be at least one more construction agreement to approve when the design for the concrete footings and piers is complete.

The city has a large investment in the components of this waterslide complex, and the best way to maximize that investment is to get the complex built and in use as soon as possible.

Please contact me with questions related to this agenda item.

ATTACHMENTS

1. [20250227_Ordinance_-_Approve_CSM_construction_contract_for_PIWP_slides.pdf](#)
2. [20250212 Parrot Island Fort Smith 2-12-25 \(003\).pdf](#)

FISCAL IMPACT:

not to exceed \$509,500.00

BUDGET INFORMATION:

Budgeted / General Fund Non-Departmental - General Fund

ORDINANCE NO. _____

ORDINANCE DECLARING AN EXCEPTIONAL SITUATION; WAIVING THE REQUIREMENTS OF COMPETITIVE BIDDING; AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH CSM WATERWORKS, INC. FOR INSTALLATION OF WATERSLIDE COMPONENTS AT PARROT ISLAND WATERPARK FOR AN AMOUNT NOT TO EXCEED \$509,500

WHEREAS, the City of Fort Smith is an owner of the Parrot Island Waterpark and has appropriated \$4.2 million toward the purchase and installation of a five-slide waterslide tower and complex to expand the amenity offerings at the park: and,

WHEREAS, a construction contract is required for the assembly and installation of the waterslide tower, five waterslides, and ancillary components at the complex; and,

WHEREAS, CSM Waterworks, Inc., a California company specializing in waterslides and other water-based amenities across the country, has proposed a construction contract in the total amount of \$509,500 for assembly and installation of the waterslide complex at Parrot Island Waterpark.

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

SECTION 1: An exceptional situation exists requiring the waiving of the conditions of competitive bidding, so that competitive bidding requirements are hereby waived for assembly and installation of the Parrot Island Waterpark waterslide expansion project.

SECTION 2: The contract proposed by CSM Waterworks, Inc. for the assembly and installation of the waterslide tower and five waterslides is hereby accepted and approved.

SECTION 3: The Mayor, his signature being attested by the City Clerk, is hereby authorized to execute the above-referenced contract with CSM Waterworks, Inc., for an amount not to exceed \$509,500 for performing said project.

PASSED and APPROVED this _____ day of March, 2025.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to form:



City Attorney



CSM WATERWORKS

1040 Calle Cordillera #105, San Clemente, California 92673

CONTRACT

PROJECT:	Parrott Island Fort Smith	DATE:	Feb-6-2025
		CLOSING:	N/A
LOCATION:	7300 S Zero Street, Fort Smith, AR 72903	TIME:	N/A
START DATE:	Mar-3-2025 (<i>Estimated</i>)		
PURCHASER:	City of Fort Smith, Arkansas Registered Office at: 632 Garrison Ave, Fort Smith, AR 72901		

Parrot Island Waterpark
Fort Smith Arkansas
Att: Jeff Dingman, Interim City Administrator
623 Garrison Avenue, Room 315
Fort Smith, AR 72901
O: 479-784-2201
C: 479-226-6427
jdningman@fortsmithar.gov

CONTRACTOR: CSM Waterworks Inc.
1040 Calle Cordillera #105
San Clemente,
California, CA
92673

CONTACT: Casey Gardener – Preside

Scope of Work Provided by CSM Waterworks:

CSM Waterworks proposes to Install all Water Slide components and Structural Steel material that is to be provided by the Water Slide vendor / White Water West. CSM Waterworks will provide all consumable materials, qualified labor, tools, equipment and each item of expenses required to complete the work as outlined in the drawings and manuals provided by the city of Fort Smith, AR. All pricing based on White Water SK-16 -44855 Drawings showing outline and description of Rides and Water Slide Tower.

Including:

- Flatline Loop: 398' Total Length
- Topspin: 548' Total Length
- Head Rush: 545' Total Length
- Head Rush: 545' Total Length
- Nautilus Slide
- Steel Water Slide Tower with Shade Canopy
- Steel Ride Supports

- CSM to provide all rigging, tooling, and equipment necessary to assemble and install parts per customer's DWG's.
CSM to provide all labor required to install water slide vendor equipment, including steel columns and radial arm supports.

- CSM to provide all rental equipment including manlifts, telehandlers and any mobile crane units needed.

BID DOCUMENTS: Pricing submission based on the following documents included

- White Water West – Parrot Island Expansion SK-16 44855

BID Assumptions:

- **This is a Non- Prevailing or Union Wage Project.**
- Staging/Pre-Assembly is reasonable in proximity to the project location.
- Unobstructed access to the required equipment and material.
- Pre-Assembly and installation areas are suitable for equipment, pre-assembly, & installation.

- All materials, parts, & hardware from the customer will be on-site.
- All materials supplied by the customer do not require finishing or modifications.
- General Daily Cleanup of CSM Waterworks Construction Debris (Waste Dumpsters to be provided by others)
- Waterslide tower to be comprised of Steel Structural Frame, T1800 Fiberglass Decking, Steel Guard Rail System, Including Grip Rail.
- Punch List Completion to Owners Satisfaction and industry standards.
- All work to be performed as outlined in the waterslide vendor (White Water) Drawing packages – Including Structural and Waterslide Assemble detailed drawings.
- Site As-Builds to be provided showing concrete foundations and pedestals verifying the correct locations and elevations. These must be provided to CSM Waterworks prior to CSM Waterworks begins ride installation on such concrete support.

GENERAL TERMS & CONDITIONS:

- Any delays in installation due to lack of access to the Laydown/Installation area, late shipments, non-conformance material per DWGs from customer, repairs and modifications to FRP or Fabricated Steel will be subjected to a Change Order.
- Only under client/scope changes, extreme circumstances, DOSH Inspections, and sever weather would be subject to a Change Order.
- Any delays due to site conditions which the client requires CSM to add additional manpower or requested work overtime will be subject to Change Order.
- CSM Waterworks Assumes (1) mobilization per work schedule. If work is delayed at no fault of CSM, to mobilize additional staff will require a Change Oder.
- CSM Waterworks to provide Safety Policy to General Contractor and our Owner.
- CSM Waterworks to abide by and enforce strident safety measures in compliance with OSHA and any other local safety standards. CSM will provide all safety equipment necessary to perform their work.

- CSM Waterworks provide all Per Diems and necessary accommodation for out-of-town workers.

Exclusions to CSM Waterworks:

1. Any fabricated items
2. All hardware (Must be provided by Purchaser)
3. Epoxy and epoxy anchors
4. All concrete
5. All paint touch ups on steel tower, slide supports and arms
6. Special Inspections and permits
7. Site/offsite maintenance, porta potties and security by others
8. Electrical, instrumentation, pneumatic, piping work, grouting
9. Plumbing work of any kind.
10. General Civil work, Landscape or any other Earth work.

Minimum insurance requirements for **CSM Waterworks**.

The Contractor shall not commence work until they have obtained all insurance required and have submitted to Purchaser. In addition, nor shall the contractor allow any sub-contractor to commence work until all similar insurances required of the sub-contractor have been obtained and approved.

1. Policies and coverage
 - a) Commercial Form Liability Insurance

The contractor shall obtain and maintain (the following policies and coverage. Comprehensive or) Commercial form general liability insurance on an occurrence basis covering work done or to be done by on behalf of the contractor and providing insurance for bodily injury, personal injury, property damage and contractual liability.

- i) \$1,000,000 General aggregate
- ii) \$1,000,000 Each occurrence for bodily injury and property damage

- b) Business Automobile Liability Insurance

Business automobile insurance liability insurance on an occurrence basis, covering owned, hired and non-owned automobiles used by or on behalf of the contractor and providing insurance for bodily injury, property damage and contractual liability. Such insurance shall include coverage for uninsured and underinsured motorists.

- i) \$1,000,000

c) Workers Compensation and Employers Liability Insurance

Workers Compensation including Employers liability insurance as required by law.

- Workers' Compensation: Statutory Limits
- Employers Liability: \$1,000,000 by accident/each accident
\$1,000,000 by disease/policy limit
\$1,000,000 by disease/each employee

2. Verification of coverage

- The contractor shall submit certificates of insurance and original endorsements to the policies of insurance to Purchaser for record keeping.
The scope of coverage and deductible shall be shown on the certificate of insurance.
The certificate of insurance and endorsements shall provide for no cancellation or modification of coverage without (30) thirty-days' written notice to owners.

COST & TERMS OF PAYMENT:

Purchaser (City of Fort Smith) agrees to pay CSM Waterworks the sum of Five Hundred Nine Thousand Five Hundred Dollars. **(\$509,500.00)**

TERMS OF PAYMENT: \$509,500.00

Contractor to submit invoices to City of Fort Smith AR.) as per the Progress Payment Schedule. All payments less the Downpayment based on mutually agreed percentage of work complete progress payments, submitted monthly. *Downpayment must be paid prior to Contractor (CSM Waterworks Mobilizing construction staff)*

Phase #1: Schedule of Values: Flatline Loop/ Topspin/ Head Rush#1/ Head Rush#2

- 25% Downpayment upon acceptance of contract. = \$104,875.00
- 25% Pre-Assembly of Fiberglass Materials = \$104,875.00
- 20% Tower and Steel Ride Support Installation = \$83,900
- 20% Ride Installation of Structural Steel Supports = \$83,900
- 10% Final Upon Final CSM Water Works Completion of Project = \$41,950.00
- **TOTAL CONTRACT VALUE = \$419,500.00**

All Payments to be made (10) days after receipt of invoice.

Phase #2: Schedule of Values: Nautilus Slide

- 50% Downpayment upon acceptance of contract. = \$45,000.00
- 50% Final Upon Final CSM Water Works Completion of Project = \$45,000.00
- **TOTAL CONTRACT VALUE = \$90,000.00**

All Payments to be made (10) days after receipt of invoice.

CONTRACT ACKNOWLEDGMENT

X.....
DATE.....
Signature
CONTRACTOR: CSM Waterworks
Casey Gardener President

X.....
DATE.....
Signature
PURCHASER: City of Fort Smith, AR.
Jeff Dingman, ICMA-CM

The above parties agree to the terms outlined above and understand that this agreement is binding.

CSM WATERWORKS
1040 Calle Cordillera #105
San Clemente, CA 92673
(213) 748-7321 - Office
www.csmwaterworks.com
[Instagram: csmwaterworks](https://www.instagram.com/csmwaterworks)





MEMORANDUM

TO: Jeff Dingman, Acting City Administrator
FROM: Duane McDonald, Director of Solid Waste Services
DATE: February 27, 2025
SUBJECT: Non-Residential Solid Waste Collection and Disposal Permit and Agreement Renewal

SUMMARY

CARDS Holdings, Inc. desires to renew their non-residential solid waste collection and disposal permit and agreement with the city of Fort Smith, in order to comply with the City of Fort Smith Municipal Code and continue hauling non-residential solid waste within Fort Smith. This agreement is a two-year permit for the period of March 1, 2025 to February 28, 2027. This agreement includes the 5% franchise fee, which the Board of Directors voted and approved in December 2020 per Ordinance No. 111-20.

Staff recommends this agreement be accepted and approved. Please contact me should you have any questions.

ATTACHMENTS

1. [03-04-2025_Item_ID_1648_Solid_Waste_Services.pdf](#)
2. [03-04-2025 Item ID 1648 Solid Waste Services.pdf](#)

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE EXECUTION OF A NON-RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL PERMIT AND AGREEMENT WITH CARDS HOLDINGS, INC.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

The Mayor, his signature being attested by the City Clerk, is hereby authorized to execute the attached two (2) year Non-Residential Solid Waste Collection and Disposal Permit and Agreement with CARDS Holdings, Inc. for the period of March 1, 2025 through February 28, 2027.

This Resolution adopted this _____ day of March, 2025.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Approved as to form:



NPR

NON-RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL PERMIT AND AGREEMENT

THIS AGREEMENT, made and entered on the date set forth below by and between the City of Fort Smith, Arkansas (hereinafter referred to as the "City"), and CARDS Holdings, Inc.

WITNESSETH:

WHEREAS, the City is a municipal corporation of the first class of the State of Arkansas and, in its government capacity, owns and operates the City of Fort Smith Solid Waste Disposal Facility (the "Facility"), which is currently operated as a Class I landfill; and

WHEREAS, the City currently provides solid waste collection and disposal service to residential and non-residential customers within the City; and

WHEREAS, CARDS Holdings, Inc. has the consent of the City to collect and dispose of solid waste for non-residential customers within the corporate limits of the City; and

WHEREAS, the City has evaluated the possibility of exercising its governmental option of providing solid waste collection and disposal services to non-residential customers; and

WHEREAS, CARDS Holdings, Inc. desires to provide non-residential solid waste collection and disposal services for customers located in Sebastian County within and without the corporate limits of the City.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, and intending to be legally bound hereby, the parties agree as follows:

1. Definitions

- a. **"Solid Waste,"** when used in this Agreement, shall have the meaning given to it in Section 25-261 of the Fort Smith Code of Ordinances.
- b. **"Residential Customers,"** when used in this Agreement, shall have the meaning given in Section 25-261 of the Fort Smith Code of Ordinances.
- c. **"Non-residential Customers,"** when used in this Agreement, shall refer to all solid waste customers who are not residential customers as defined by Section 25-261 of the Fort Smith Code of Ordinances.

2. Disposal of Waste Generated Within the City

- a. **Solid Waste Disposal:** CARDS Holdings, Inc. agrees that all solid waste generated within the City and which is collected by CARDS Holdings, Inc. for disposal shall be hauled by CARDS Holdings, Inc. to the Facility, except as otherwise provided herein. Excepted from this requirement are: (i) any categories of solid waste that the City does not accept for disposal at the Facility; (ii) any customers to which the City may consent in writing executed by the Fort Smith City Administrator to allow to use alternative disposal facilities; and (iii) any recyclables as defined in Section 25-261 of the Fort Smith Code of Ordinances and any other recycling program identified in writing and approved as an exception by the Fort Smith City Administrator. The City will use reasonable efforts to enforce the designation of the Facility against all waste haulers.
- b. **Rates for Disposal:** The rates for disposal of solid waste generated within the City and disposed of at the Facility shall be those rates, established from time to time, by the City for the customers of the Facility (the "Fort Smith Published Rates"). The City agrees that

all waste haulers servicing Non-Residential customers within the City and delivering solid waste to the Facility shall be charged the same disposal rates.

- c. **Franchise Fee:** An annual fee shall be five (5) percent of gross revenues for service provided by the franchisee inside the City of Fort Smith city limits. This includes servicing dumpsters, roll-off containers, compactor containers, collection in refuse vehicles or collecting and hauling refuse in open top trucks, owned or not owned by the franchisee, that is serviced by the franchisee used in the City of Fort Smith.
 - i. The calculation of gross revenues generated from operation within the city shall include all revenue, as determined in accordance with generally accepted accounting principles, which is derived, directly or indirectly, by the franchisee from or in connection with its operation within the city. Gross revenues shall include but are not limited to revenues received from the collection and disposal of all solid waste, whether by a company bearing franchisee's name or a company owned or controlled by franchisee but operating under a different name.
 - ii. That portion of the annual fee attributable to subsection C above must be paid in a manner and on a schedule approved by the Solid Waste Services Director.
 - iii. The annual fee shall be paid quarterly, no later than thirty (30) days after the end of each calendar quarter. The payment shall be made to the City of Fort Smith Finance Department. No refund of a fee will be made.
 - iv. Fee payments received after the due date shall be subject to interest at the rate of 10% until the fees are paid in full.
 - v. This agreement will be subject to non-renewal by the City should the franchise fee NOT be paid by the franchisee when renewal is due. Non-renewal of agreement will mean that franchisee/hauler will NOT be able to collect and dispose of solid waste for non-residential customers within the corporate limits of the City.
- d. **RFID Tags:** The city has recently installed RFID readers for quicker entrance and exit to the Landfill. These are available to haulers; however, it is not mandatory. The cost is \$20/tag/year. Haulers must submit a list of equipment to the city for our records.
 - i. The total for all RFID tags will be billed annually to the haulers account. Invoice will be Net 30 days from time of billing. Subject to a late fee of ten (10%) of amount owed should the invoice not be paid by the due date.
 - ii. One free replacement RFID tag, per tagged vehicle, annually. If more RFID tags are needed for same vehicle there will be an additional \$20 per tag. Billed at the next billing cycle to the haulers account.

3. Disposal of Waste Generated Outside the City

- a. **Rates for Disposal:** The base rates charged for solid waste generated outside the City "External Rate" and delivered to the Facility by CARDS Holdings Inc., shall be the Fort Smith published rates.
- b. The rates may be adjusted on the anniversary of each year of the term provided for in this paragraph. On each anniversary date, the rates set forth in the Fort Smith Published Rates may be adjusted by the percentage that the Consumer Pricing Index for All Urban Areas ("CPI-U") for the first calendar month of the preceding contract year was exceeded by the CPI-U at the beginning of the next contract year. (The CPI-U is based on the U.S. Department of Labor, Bureau of Labor and Statistics, Consumer Price Index for all urban customers in the U.S. city average, with all items having been computed based on 1982-84 = 100.0)

11. **Choice of Law:** This Agreement shall be governed by the laws of the State of Arkansas.
12. **Assignment:** The provisions of this Agreement are not assignable by either party without the prior, written consent of the other party.
13. **Revocation of franchise:**
 - a. The board of directors may revoke any solid waste collection franchise if the franchisee:
 - i. Fails to comply with any provision of this article, any other city ordinance, or any state or federal law applicable to the collection and disposition of solid waste material
 - ii. Makes a false statement in the application or in a hearing concerning the solid waste collection franchise; or
 - iii. Fails to pay a fee required by the article at the time it was due
 - iv. Before revoking a franchise under subsection (a) above, the director shall notify the franchisee in writing that the franchisee is being considered for revocation. The notice must include the reason for the proposed revocation, and a statement that the franchisee has ten (10) days to comply with the notice.
 1. Franchise shall be revocable upon ten (10) days notice by the City when, in the opinion of the designated agent of the Fort Smith City Administrator, the work being performed by CARDS Holdings, Inc. is being performed in such a manner as to constitute a public menace or nuisance or to be detrimental to the health, safety, and welfare of the citizens of the City.
 - b. Should a franchisee have its franchise revoked, the franchisee may be granted a period of time, up to a maximum of six (6) months, by the director to conclude its solid waste business in the City of Fort Smith, as long as the franchisee continues paying the set franchise fee and maintains the required insurance requirements.
14. **Non-transferability:** A solid waste collection franchise issued to one (1) person may not be transferred to another person without authorization by the board of directors.
15. **Indemnification:** CARDS Holdings, Inc. agrees to indemnify and hold harmless the City from and against any and all suits, actions, legal proceedings, claims, demands, damages, costs, expenses, and reasonable attorneys' fees resulting from CARDS Holdings, Inc. operations hereunder. Provided, however, that CARDS Holdings, Inc. shall not be liable for any suits, actions, legal proceedings, claims, demands, damages, costs, expenses, or attorneys' fees solely caused by the willful or negligent acts or omissions of the City's employees.

16. **Insurance:** CARDS Holdings, Inc. shall at all times during the term of this Agreement maintain in full force and effect Employer's Liability, Workmen's Compensation, Public Liability, and Property Damage Insurance. Before commencement of work under this Agreement, CARDS Holdings, Inc. agrees to furnish to the City certificates of insurance or other evidence to the effect that such insurance has been procured and is in force. For the purpose of this Agreement, CARDS Holdings, Inc. shall carry the following types of insurance in at least the amounts specified below:

Workmen's Compensation	Statutory
Employer's Liability	\$ 500,000.00
Bodily Injury Liability (except automobile)	\$ 500,000.00/occurrence \$ 1,000,000.00/aggregate
Property Damage Liability (except automobile)	\$ 500,000.00/occurrence \$ 1,000,000.00/aggregate
Automobile Bodily Injury Liability	\$ 500,000.00/person \$ 1,000,000.00/occurrence
Automobile Property Damage Liability	\$ 500,000.00/occurrence
Excess Umbrella Liability	\$ 2,000,000.00/occurrence

17. **Force Majeure:** Neither party hereto shall be liable for its failure to perform hereunder due to circumstances beyond its reasonable control, including, but not limited to, strikes or other labor disputes, riots, civil disturbances or sabotage, fires, floods, explosions, accidents, weather or acts of God affecting either party hereunder. In the event any of the circumstances listed in the preceding sentence, or if any federal, state or local court or authority takes any action which would (i) close or restrict operations at the Facility, (ii) limit the quantity or prohibit the disposal of waste at the Facility or, (iii) limit the ability of or prohibit CARDS Holdings, Inc., from delivering waste to the Facility, CARDS Holdings, Inc. shall have the right, at its option, to reduce, suspend or terminate delivery of waste to the Facility, as set forth hereunder, immediately, without prior notices and without any additional liabilities between the parties.

18. **Severability:** If any provision of this Agreement shall be held to be invalid, illegal or unenforceable in any respect, this Agreement shall remain in effect and be construed without regard to such provision.

19. **Entire Agreement:** This Agreement constitutes the entire understanding between the parties, replacing and amending any prior agreements between the parties, and shall be binding upon all parties hereto, their successors, heirs, representatives and approved assigns. Any provision, term or condition in any acknowledgment, purchase order or other response by the City to CARDS Holdings, Inc., or by CARDS Holdings, Inc. to the City, which is in addition to or different from the provisions of this Agreement shall be deemed objected to by the other party and shall be of no effect.

20. **Counterparts and Electronic Signature:** This Agreement may be executed in counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. The facsimile, email or other electronically delivered signatures of the parties shall be deemed to constitute original signatures, and facsimile or electronic copies hereof shall be deemed to constitute duplicate originals. Signatures delivered by facsimile, email or other electronic means shall bind the signatory notwithstanding any subsequent failure or refusal to deliver an original signature signed in ink.
21. **Notices:** Any notice required to be given pursuant to the provisions of this Agreement shall be considered to be validly delivered, if it is sent by U.S. Certified Mail or if it is hand delivered and a signed receipt is obtained. Such notice should give the following:

If to the City: City of Fort Smith – Solid Waste Services
Director of Solid Waste Services
5900 Commerce Rd
Fort Smith, AR 72916

If to: CARDS Holdings, Inc.
4208 Johnson Rd
Springdale, AR 72762
Mr. Jason Fitzgerald
501-607-4898 (cell)

This Agreement is executed as of this _____ day of _____, _____
by the authorized representatives of the parties.


CITY OF FORT SMITH, ARKANSAS

By: _____
George B. McGill, Mayor

ATTEST:

City Clerk

By: _____
CARDS Holdings, Inc.





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

2/3/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Hub International Midwest West 203 N La Salle St Ste 2000 Chicago IL 60601	CONTACT NAME: CSU Chicago PHONE (A/C, No, Ext): 312-922-5000 E-MAIL ADDRESS: CSUChicago@hubinternational.com	FAX (A/C, No): 312-922-5358
	INSURER(S) AFFORDING COVERAGE	
INSURED CENTARK-01 Central Arkansas Recycling and Disposal Services LLC 4208 Johnson Rd Springdale AR 72762	INSURER A: Greenwich Insurance Company 22322	
	INSURER B: XL Specialty Insurance Company 37885	
	INSURER C: STEADFAST INS CO 26387	
	INSURER D: Indian Harbor Insurance Company 36940	
	INSURER E: Navigators Insurance Company 42307	
	INSURER F: PRAETORIAN INS CO 37257	

COVERAGES

CERTIFICATE NUMBER: 1413721661

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Contractual Liab GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:		GEC300170302	2/1/2025	2/1/2026	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPI/OP AGG \$ 2,000,000 \$
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY		AEC006284702 AEC006285002	2/1/2025 2/1/2025	2/1/2026 2/1/2026	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000		UEC006284602	2/1/2025	2/1/2026	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
F	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N N/A	202001904	2/1/2025	2/1/2026	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C D E	Excess Liability (5X5) Pollution Liability Leased/Rented Equipment		AEC 0300216-00 PEC006289502 NY24ILMZ028VW801	2/1/2025 2/1/2025 5/18/2024	2/1/2026 2/1/2026 5/18/2025	Limit/Aggregate \$5,000,000 Limit/Aggregate \$5,000,000 Limit \$250,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Proof of Insurance

CERTIFICATE HOLDER**CANCELLATION**

City of Fort Smith Sanitation Dept.
 Thea Jackson
 5900 Commerce Road
 Fort Smith AR 72916

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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**CITY OF FORT SMITH, ARKANSAS
OFFICE OF DEVELOPMENT SERVICES**

BUSINESS REGISTRATION

623 Garrison Avenue, Fort Smith, AR 72901
(479) 784-2216 | planning@fortsmithar.gov

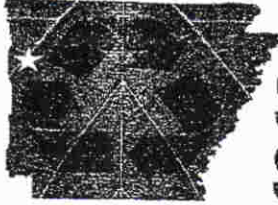
Business Name:	CENTRAL ARKANSAS RECYCLING AND DISPOSAL SERVICES, LLC DBA: CARDS RIVER VALLEY, LLC	Business Type(s):	562111 Trash collection services
Business Location:	601 ACCESS RD VAN BUREN, AR 72956	Mailing Address:	PO BOX 775 TONTITOWN, AR 72770
Owner:	DAN CHRISTIENSEN		
License Number:	007697-2025	License Type:	Contractor's Office
Issued Date:	2/17/2025	Classification:	Occupational Business
Expiration Date:	2/17/2026		\$0.00

(1) Business Registrations are non-transferrable and must be posted in a conspicuous place in the licensed business location. To keep this registration valid as issues, it is your responsibility to keep it current.

(2) This license does not authorize a business to operate in conflict with the laws of the City of Fort Smith (inclusive of zoning regulations) or the State of Arkansas.

(3) A change in business location, classifications, or ownership will necessitate a new license application process.

TO BE POSTED IN A CONSPICUOUS PLACE



Sebastian County Solid Waste District

2025 ANNUAL WASTE HAULER LICENSE APPLICATION

FOR OFFICE USE ONLY

PERMIT # 687-714 VEHICLE INSPECTION APPROVAL: _____
 DATE 2 24, 25
 Month Day Year

Applications must be returned to: 423 Rogers Avenue, Suite 102, Fort Smith,
AR 72901

FOR COMPLETION BY APPLICANT *** ONE FORM PER VEHICLE ***

I. APPLICANT INFORMATION

Local Company Name: Cards River Valley, LLC

Local Facility Address: 601 Access Road

City: Van Buren State: AR Zip Code: 72956

Local Contact Person: Autumn Woody Local Phone Number: 417-667-1204

Business Name: Cards River Valley, LLC
(if different than Local Company Name)

Business Mailing Address: PO Box 775


City: Tontitown State: AR Zip Code: 72762

Business Contact Person: Dave Vaughn Phone: 877-592-2737

CERTIFICATION OF COMPLETION (must be signed by Company President or equivalent):

I certify that the information provided within all pages of this application is true and complete and that I have read and understand the Waste Hauler requirements.

Printed Name: Dave Vaughn

Signed:  Title: C.O.O. Date: 2/14/25

CK No.
6049
\$1,000



MEMORANDUM

TO: Jeff Dingman, Acting City Administrator
FROM: Boyd Waters, Fire Chief
DATE: February 12, 2025
SUBJECT: Purchase of 2028 Mid-Mount Ladder Truck

SUMMARY

The Fire Department is ready to proceed with the purchase of a Mid-Mount Ladder Truck to replace Ladder 4 that serves the southwestern portions of Fort Smith. We have been able to secure a cooperative purchasing price through the Houston-Galveston Area Council (H-GAC) program with Pierce Manufacturing and their local Fire Apparatus dealer Siddons-Martin Emergency Group located in Conway, Arkansas for the amount of \$2,320,647.00.

Purchasing the Ladder Truck from Pierce Manufacturing will help us continue with our program fleet standardization. Standardizing our fleet of fire apparatus will help keep our long-term operating costs as low as possible by reducing labor hours in repair, having interchangeable parts available, thereby reducing inventory costs, and having our mechanics go to fewer training classes than would be required if we have multiple manufacturers of fire apparatus.

Utilizing the H-GAC cooperative purchasing for this apparatus, we are able to get the apparatus exactly as specified with a predetermined base price, allowing us to save time and money, along with improved efficiency. We have used the H-GAC cooperative purchasing program for fire apparatus for the last several years with great success. The delivery of the fire apparatus to the Fire Department will be approximately 41-42 months after the signed contract is released to Siddons-Martin Emergency Group. The payment will not be made until the acceptance of the apparatus at the Pierce factory. This will be sometime in the year 2028.

ATTACHMENTS

1. [Ladder_9_Resolution.pdf](#)
2. [Memo - Ladder 9.pdf](#)
3. [1324 Ft Smith Quote Proposal 25-02-07.pdf](#)

FISCAL IMPACT: \$2,320,647.00 (payment upon delivery)
BUDGET INFORMATION: Budgeted / Fire - 1/8% Sales and Use Tax

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING THE PURCHASE OF
FIRE APPARATUS**

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT
SMITH, ARKANSAS, THAT:**

The purchase of one (1) fire apparatus (Mid-Mount Ladder Truck) at a cost of \$2,320,647.00 from Siddons-Martin Emergency Group is hereby approved.

PASSED AND APPROVED THIS _____ DAY OF March, 2024.

APPROVED:

Mayor

ATTEST:

Sherri Gard, City Clerk

Approved as to form:



City Attorney
No Publication Required



FORT SMITH FIRE DEPARTMENT

200 North 5th Street
Fort Smith, AR 72901
(479) 783-4052 office (479) 783-5338 fax



Boyd Waters
Fire Chief

Memo

To: Jeff Dingman, City Administrator
From: Boyd Waters, Fire Chief
RE: Purchase of 2028 Mid-Mount Ladder Truck
Date: February 7, 2025

The Fire Department is ready to proceed with the purchase of a Mid-Mount Ladder Truck to replace Ladder 4 that serves the southwestern portions of Fort Smith. We have been able to secure a cooperative purchasing price through the Houston-Galveston Area Council (H-GAC) program with Pierce Manufacturing and their local Fire Apparatus dealer Siddons-Martin Emergency Group located in Conway, Arkansas for the amount of \$2,320,647.00.

Purchasing the Ladder Truck from Pierce Manufacturing will help us continue with our program fleet standardization. Standardizing our fleet of fire apparatus will help keep our long-term operating costs as low as possible by reducing labor hours in repair, having interchangeable parts available, thereby reducing inventory costs, and having our mechanics go to fewer training classes than would be required if we have multiple manufacturers of fire apparatus.

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Cc: Maggie Rice, Deputy City Administrator
Darrell Clark, Assistant Chief

Siddons Martin Emergency Group, LLC
 1400B E.W. Martin Dr
 Conway, AR 72032



February 7, 2025

Boyd Waters, Chief
FORT SMITH FIRE DEPARTMENT
200 N 5TH ST
FORT SMITH, AR 72901

Proposal For: 2025 Ft Smith Aerial

Siddons-Martin Emergency Group, LLC is pleased to provide the following proposal to FORT SMITH FIRE DEPARTMENT. Unit will comply with all specifications attached and made a part of this proposal. Total price includes delivery FOB FORT SMITH FIRE DEPARTMENT and training on operation and use of the apparatus.

Description	Amount
<hr/>	
Qty. 1 - 1324 - Pierce-Custom Enforcer Aerial, HD Ladder 100', Mid-Mount (Unit Price - \$2,268,647.00)	
Delivery within 41-42 months of order date	
QUOTE # - SMEG-0008948-2	
	Vehicle Price \$2,268,647.00
	Loose Equipment or Truck Changes \$50,000.00
	<hr/> 1324 - UNIT TOTAL \$2,318,647.00
	SUB TOTAL \$2,318,647.00
	<hr/> HGAC FS12-23 (FIRE) \$2,000.00
	<hr/> TOTAL \$2,320,647.00

Price guaranteed until 3/31/2025

Additional: 'Due to global supply chain constraints, any delivery date contained herein is a good faith estimate as of the date of this order/contract, and merely an approximation based on current information. Delivery updates will be made available, and a final firm delivery date will be provided as soon as possible.

Persistent Inflationary Environment Notification: If the Producer Price Index of Components for Manufacturing [www.bls.gov Series ID: WPUID6112] (the "PPI") has increased at a compounded annual growth rate greater than 5.0% from the date of acceptance of this proposal letter (the "Order Month") and 14 months prior to the anticipated Ready for Pickup Date (the "Evaluation Month"), then the proposal price may be increased by an amount equal to any increase exceeding 5.0% for the time period between the Order Month and the Evaluation Month. Siddons Martin and Pierce will provide documentation of such increase and the updated price for the customer's approval before proceeding with completion of the order along with an option to cancel the order.'

Taxes: Tax is not included in this proposal. In the event that the purchasing organization is not exempt from sales tax or any other applicable taxes and/or the proposed apparatus does not qualify for exempt status, it is the duty of the purchasing organization to pay any and all taxes due. Balance of sale price is due upon acceptance of the apparatus at the factory.

Late Fee: A late fee of .033% of the sale price will be charged per day for overdue payments beginning ten (10) days after the payment is due for the first 30 days. The late fee increases to .044% per day until the payment is received. In the event a prepayment is received after the due date, the discount will be reduced by the same percentages above increasing the cost of the apparatus.

Cancellation: In the event this proposal is accepted and a purchase order is issued then cancelled or terminated by Customer before completion, Siddons-Martin Emergency Group may charge a cancellation fee. The following charge schedule based on costs incurred may be applied:

- (A) 10% of the Purchase Price after order is accepted and entered by Manufacturer;
- (B) 20% of the Purchase Price after completion of the approval drawings;
- (C) 30% of the Purchase Price upon any material requisition.

The cancellation fee will increase accordingly as costs are incurred as the order progresses through engineering and into manufacturing. Siddons-Martin Emergency Group endeavors to mitigate any such costs through the sale of such product to another purchaser; however, the customer shall remain liable for the difference between the purchase price and, if applicable, the sale price obtained by Siddons-Martin Emergency Group upon sale of the product to another purchaser, plus any costs incurred by Siddons-Martin to conduct such sale.

Acceptance: In an effort to ensure the above stated terms and conditions are understood and adhered to, Siddons-Martin Emergency Group, LLC requires an authorized individual from the purchasing organization sign and date this proposal and include it with any purchase order. Upon signing of this proposal, the terms and conditions stated herein will be considered binding and accepted by the Customer. The terms and acceptance of this proposal will be governed by the laws of the state of Arkansas. No additional terms or conditions will be binding upon Siddons-Martin Emergency Group, LLC unless agreed to in writing and signed by a duly authorized officer of Siddons-Martin Emergency Group, LLC.

Sincerely,

Scott Jones

I, _____, the authorized representative of FORT SMITH FIRE DEPARTMENT, agree to purchase the proposed and agree to the terms of this proposal and the specifications attached hereto.

Signature & Date