

Mayor – Sandy Sanders
City Administrator – Ray Gosack
City Clerk – Sherri Gard

Board of Directors

Ward 1 – Keith Lau
Ward 2 – Andre’ Good
Ward 3 – Mike Lorenz
Ward 4 – George Catsavis
At Large Position 5 – Tracy Pennartz
At Large Position 6 – Kevin Settle
At Large Position 7 – Don Hutchings

AGENDA ~ Summary

Fort Smith Board of Directors

REGULAR MEETING

January 6, 2015 ~ 6:00 p.m.

**Fort Smith Public Schools Service Center
3205 Jenny Lind Road**

***THIS MEETING IS BEING TELECAST LIVE ON THE GOVERNMENT ACCESS CHANNEL 214
AND ONLINE AT <http://www.ustream.tv/channel/city-of-fort-smith-board-of-directors-meetings>***

INVOCATION & PLEDGE OF ALLEGIANCE

OATH OF OFFICE CEREMONY FOR INCOMING DIRECTORS

ROLL CALL

- All present
- Mayor Sandy Sanders presiding

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

(Section 2-37 of Ordinance No. 24-10)

Information available by viewing rebroadcast of the meeting on the City Access Channel 214, the City website or <http://www.ustream.tv/channel/city-of-fort-smith-board-of-directors-meetings>

APPROVE MINUTES OF THE DECEMBER 16, 2014 REGULAR MEETING

Approved as written

ITEMS OF BUSINESS:

1. Presentation: Girl Scout Diamonds of Arkansas, Oklahoma and Texas
2. Ordinance establishing prices and fees for grave spaces and services at Oak Cemetery ~ *Discussed at the November 25, 2014 budget hearing / First reading at the December 16, 2014 regular meeting ~ ** SECOND READING ***
Defeated 2 in favor (Good & Hutchings), 5 opposed (Lau, Lorenz, Catsavis, Pennartz & Settle)

3. Ordinance rezoning identified property and amending the zoning map (*from Not Zoned to a Planned Zoning District by classification located at 7000 Chad Colley Boulevard*) (*Arkansas College of Osteopathic Medicine*)
Approved 7 in favor, 0 opposed / Ordinance No. 1-15
4. Ordinance amending the Master Land Use Plan map and rezoning identified property and amending the zoning map (*Master Land Use Plan: from Extra-Territorial Jurisdiction Neighborhood Commercial to Extra-Territorial Jurisdiction Light Industrial / Rezoning: from Extra-Territorial Jurisdiction Open-1 (ETJ O-1) to Extra-Territorial Jurisdiction Industrial Light (ETJ I-1) by classification located at 12934 Old Highway 71 South*) (*Beshears Construction*)
Approved 7 in favor, 0 opposed / Ordinance No. 2-15
5. Ordinance amending the Master Land Use Plan map and rezoning identified property and amending the zoning map (*Master Land Use Plan: from Open Space and Office, Research & Light Industrial to Neighborhood Commercial / Rezoning: from Residential Multi-Family Medium/High Density (RM-3) to a Planned Zoning District by classification located at 3101-3225 Phoenix Avenue*)
Approved 7 in favor, 0 opposed / Ordinance No. 3-15
6. Items relative to property located at 11808 Highway 71 South (*Arvest Bank*):
 - A. Resolution approving a pre-annexation agreement for Superior Federal Tract 1 *11808 Highway 71 South*
Approved 7 in favor, 0 opposed / Resolution No. R-1-15
 - B. Ordinance accepting certain territory into the City of Fort Smith, Arkansas (*3.5 acres*)
Approved 7 in favor, 0 opposed / Ordinance No. 4-15
 - C. Ordinance amending the Master Land Use Plan map and rezoning identified property and amending the zoning map (*Master Land Use Plan: from Extra-Territorial Jurisdiction Neighborhood Commercial to General Commercial / Rezoning: from Extra-Territorial Jurisdiction Open-1 (ETJ O-1) to Commercial Moderate (C-3) by classification located at 11808 Highway 71 South*)
Approved 7 in favor, 0 opposed / Ordinance No. 5-15
7. Resolution of the Board of Directors of the City of Fort Smith certifying local government endorsement of business to participate in the Tax Back Program (as authorized by Section 15-4-2706(d) of the Consolidated Incentive Act of 2003) (*ArcBest Corporation*)
Approved 7 in favor, 0 opposed / Resolution No. R-2-15

8. Consent Agenda

- A. Resolution authorizing an engineering services agreement for the design of a project in the 2015 Sales Tax Program, Project No. 15-01-A (\$827,381.25 / Engineering Department / Budgeted – Sales Tax Program Fund)
Approved 7 in favor, 0 opposed / Resolution No. R-3-15
- B. Ordinance authorizing the Mayor to execute a services agreement with the U.S. Marshals Museum, Inc. for certain services for inhabitants of the city of Fort Smith
Approved 7 in favor, 0 opposed / Ordinance No. 6-15
- C. Resolution accepting bids for the purchase of aggregates, sand, concrete, and asphalt concrete products for 2015 (Annual bid / Various Departments / Budgeted – Various Departments)
Approved 7 in favor, 0 opposed / Resolution No. R-4-15
- D. Resolution authorizing the Mayor to execute an agreement with Shannon & Wilson, Inc. for providing engineering services associated with Year 2015 post construction monitoring and inspection of the Lake Fort Smith Dam and Reservoir (\$91,032.00 / Utility Department / Budgeted – Water & Sewer Operating Budget)
Approved 7 in favor, 0 opposed / Resolution No. R-5-15

OFFICIALS FORUM ~ presentation of information requiring no official action

(Section 2-36 of Ordinance No. 24-10)

- Mayor
- Directors
- City Administrator

Information available by viewing rebroadcast of the meeting on the City Access Channel 214, the City website or <http://www.ustream.tv/channel/city-of-fort-smith-board-of-directors-meetings>

EXECUTIVE SESSION (approximately 6:41 p.m.)

Appointments: **ADVERTISING AND PROMOTION COMMISSION**

Director Don Hutchings
Term is indefinite

AUDIT COMMITTEE

Director Keith Lau
(to fill the unexpired term of former Director Pam Weber)
Term expires November 30, 2015

FORT SMITH HOUSING AUTHORITY

Rex Terry

Term expires March 3, 2020

**SEBASTIAN COUNTY REGIONAL SOLID WASTE
DISTRICT MANAGEMENT BOARD**

Director Mike Lorenz

Term expires January January 21, 2016

Director Andre' Good

Term expires January 21, 2018

VICE-MAYOR

Director Kevin Settle

Term expires December 31, 2016

ADJOURN

6:57 p.m.

DEFEATED ON 2ND READING

January 6, 2015 Regular Meeting

*ayes - Good & Hutchings; nays - Lau,
Lorenz, Catsavis, Pennartz & Settle*

2

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING PRICES AND FEES FOR
GRAVE SPACES AND SERVICES AT OAK CEMETERY

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

SECTION 1: The following prices for grave spaces and fees for services
are hereby established for Oak Cemetery:

- (a) The price of all grave spaces in Oak Cemetery shall be \$550.00 per space.
- (b) The fee for making a grave space opening and closing shall be the sum of \$550.00 on any weekday, Monday through Friday, and shall be the sum of \$700.00 on Saturday, Sunday, or holiday observed by the City of Fort Smith.
- (c) The fee for making an inurnment of niches shall be the sum of \$200.00 on any weekday, Monday through Friday, and shall be the sum of \$300.00 on Saturday, Sunday, or holiday observed by the City of Fort Smith.
- (d) The fee for making a grave space opening and closing for cremated remains and for infants shall be the sum of \$200.00 on any weekday, Monday through Friday, and shall be the sum of \$300.00 on Saturday, Sunday or holiday observed by the City of Fort Smith.
- (e) The fee for the disinterment of any person shall be the sum of \$1,000.00 and any additional costs directly related to the disinterment. The fee for the disinurnment of any cremains shall be the sum of \$300.00 and any additional costs directly related to the disinurnment. The fee for

the disinterment of any infant shall be the sum of \$300.00 and any additional costs directly related to the disinterment.

SECTION 2: All ordinances and parts of ordinances in conflict with the provisions of Section 1 of this Ordinance are repealed.

SECTION 3: Although referred to by Fort Smith Municipal Code Section 7-30(a), the codifier of the Fort Smith Code shall not codify the prices and fees established by Section 1 of this Ordinance. The codifier shall delete the provision of Section 7-30(b) from the Fort Smith Municipal Code.

SECTION 4: Emergency Clause. It is determined that proper funding of the services provided by Oak Cemetery is essential to the continued operation of the cemetery and thus to the health, safety and welfare of the inhabitants of the City. Therefore, an emergency is declared and this Ordinance shall be in full force and effect from its date of passage and approval.

Passed and approved this ____ day of January, 2015.

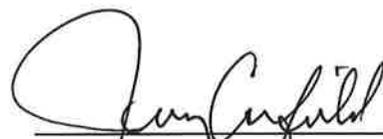
APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to form:



City Attorney
Publish One Time

ORDINANCE NO. 1-15**AN ORDINANCE REZONING IDENTIFIED PROPERTY
AND AMENDING THE ZONING MAP**

WHEREAS, the City Planning Commission has heretofore held a public hearing upon request No. 22-12-14 to rezone certain properties hereinafter described, and, having considered said request, recommended on December 9, 2014, 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 properties to-wit:

Part of the Southwest Quarter, and part of the East Half of Section 5, Township 7 North, Range 31 West, Fort Smith, Sebastian County, Arkansas. Being more particularly described as follows:

Commencing at the Southwest Corner of said Section 5, said corner being marked with an existing ½" rebar with cap stamped PLS 1272; Thence along the West Line of said Section 5, N02°38'35"E, 1568.71 feet; Thence leaving said West Line, N90°00'00"E, 1776.18 feet to the westerly line of Phoenix Metals, Lot 1, an addition to the City of Fort Smith, Sebastian County, Arkansas, being filed for record July 5, 2013 as plat 1930; Thence along said westerly line, N50°24'51"E, 393.82 feet to the northwesterly corner of said Lot 1, said corner being marked with an existing concrete nail; Thence along the northerly line of said Lot 1, S39°33'58"E, 307.02 feet to the Point of Beginning, said point being marked with a set ½" rebar with cap stamped MWC 1369; Thence leaving said northerly line, N50°25'50"E, 1218.11 feet to a set ½" rebar with cap stamped MWC 1369; Thence S39°33'09"E, 43.13 feet to an existing ½" rebar; Thence N50°23'58"E, 308.08 feet to a set ½" rebar with cap stamped MWC 1369; Thence N39°32'37"W, 586.06 feet to the easterly right-of-way line of the future realigned Wells Lake Road and a set ½" rebar with cap stamped MWC 1369; Thence along said right-of-way line the following courses: 1087.67 feet along the arc of a curve to the left, said curve having a radius of 1150.00 feet and being subtended by a chord having a bearing of N48°41'35"E and a distance of 1047.58 feet to a set ½" rebar with cap stamped MWC 1369; N21°35'52"E, 619.57 feet to a set ½" rebar with cap stamped MWC 1369; 72.16 feet along the arc of a curve to the right, said curve having a radius of 45.00 feet and being subtended by a chord having a bearing of N67°32'06"E and a distance of 64.67 feet to the southerly right-of-way line of Frontier Road and a set ½" rebar with cap stamped MWC 1369; Thence along said southerly right-of-way line the following courses: 66.34 feet along the arc of a curve to the right, said curve having a radius of 2950.00 feet and being subtended by a chord having a bearing of S65°53'02"E and a distance of

66.34 feet to a set ½” rebar with cap stamped MWC 1369; S60°31’14”E, 983.66 feet to the westerly right-of-way line of Chad Colley Boulevard and a set ½” rebar with cap stamped MWC 1369; Thence along said westerly right-of-way line the following courses: 62.02 feet along the arc of a curve to the right, said curve having a radius of 45.00 feet and being subtended by a chord having a bearing of S21°02’06”E and a distance of 57.23 feet to a set ½” rebar with cap stamped MWC 1369; 346.64 feet along the arc of a curve to the left, said curve having a radius of 2166.50 feet and being subtended by a chord having a bearing of S13°52’02”W and a distance of 346.27 feet to a set ½” rebar with cap stamped MWC 1369; 1392.34 feet along the arc of a curve to the right, said curve having a radius of 1941.50 feet and being subtended by a chord having a bearing of S29°49’42”W and a distance of 1362.70 feet to a set ½” rebar with cap stamped MWC 1369; S50°22’23”W, 1987.45 feet to an existing nail at the northeast corner of said Phoenix Metals, Lot 1; Thence along said northerly line of Lot 1, N39°33’58”W, 865.50 feet to the Point of Beginning. Containing 86.75 acres, more or less.

more commonly known as 7000 Chad Colley Boulevard, should be, and is hereby rezoned from Not Zoned to a Planned Zoning District by Classification. The approved change in zoning classification is based and conditioned upon the Planned Zoning District provisions of Section 27-341 of the Unified Development Ordinance and the Planned Zone 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 6th DAY OF January, 2015.

ATTEST:



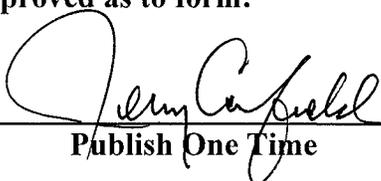
City Clerk

APPROVED:



Mayor

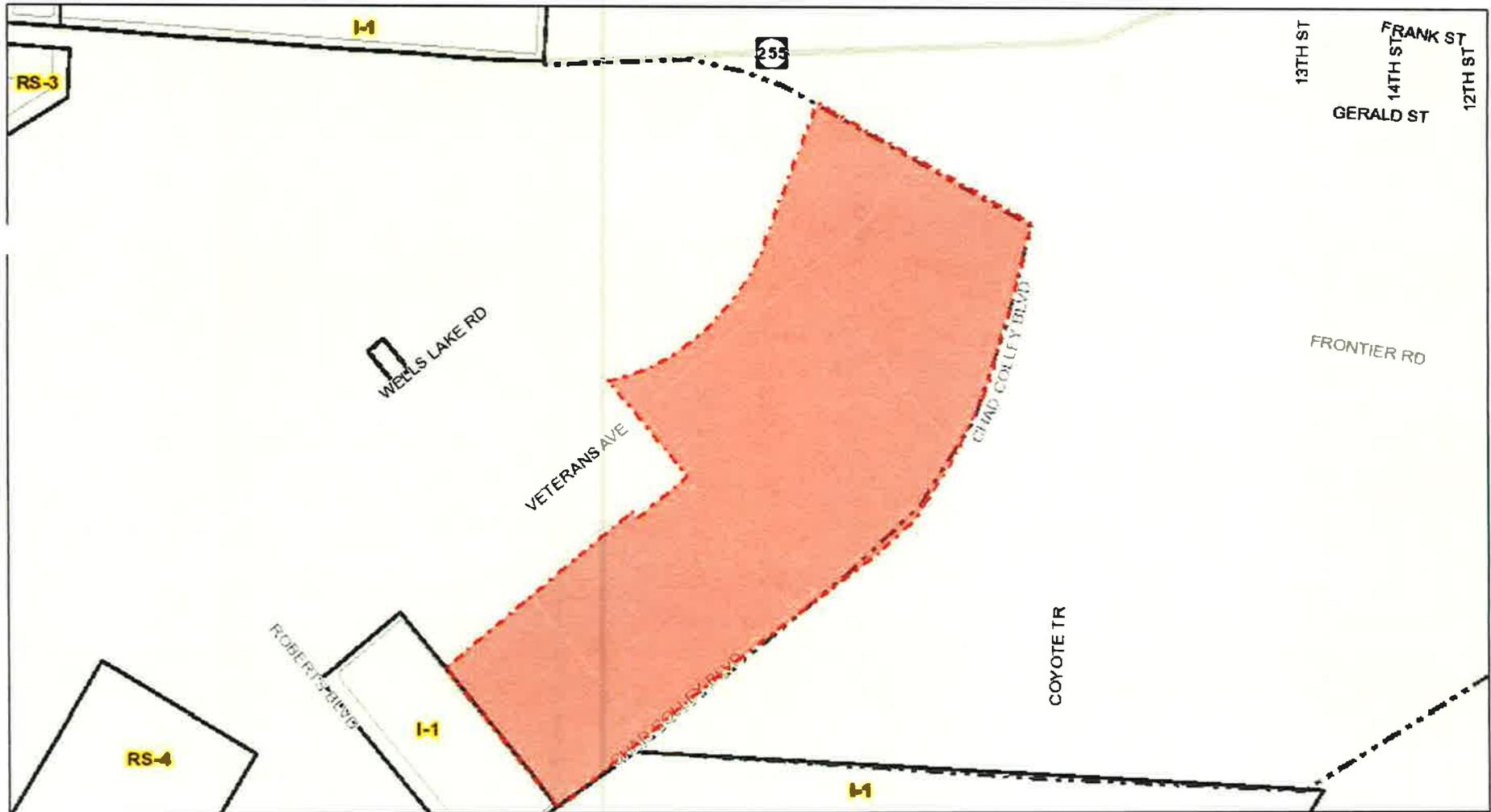
Approved as to form:



Publish One Time

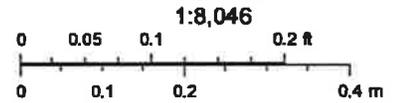
Rezoning #22-12-14: From Not Zoned to Planned Zoning District (PZD) 7000 Chad Colley Boulevard

20



November 19, 2014

- Fort Smith City Limits
- Zoning
- Subdivisions



ORDINANCE NO. 2-15**AN ORDINANCE AMENDING THE MASTER LAND USE PLAN MAP AND
REZONING IDENTIFIED PROPERTY AND AMENDING THE ZONING MAP**

WHEREAS, the City Planning Commission has held a public hearing to consider a request 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 December 9, 2014, that said change be made; and,

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

WHEREAS, the City Planning Commission has heretofore held a public hearing to consider request No. 23-12-14 to rezone certain properties hereinafter described, and, having considered said request, recommended on December 9, 2014, 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 Extra Territorial Jurisdiction Neighborhood Commercial to Extra Territorial Jurisdiction Light Industrial and the Master Land Use Plan Map is hereby amended to reflect said amendment to-wit:

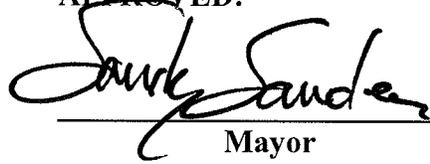
Lot 1 of Triangle Park more commonly known as 12934 Old Highway 71 South.

SECTION 2: The real property described in Section 1 above is hereby rezoned from Extraterritorial Jurisdiction Open-1 (ETJ O-1) to Extra Territorial Jurisdiction Industrial Light (ETJ I-1) by Classification.

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

PASSED AND APPROVED THIS 6th DAY OF January, 2015.

APPROVED:



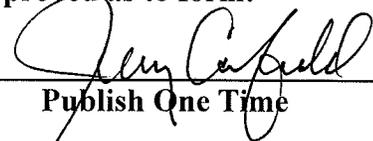
Mayor

ATTEST:



City Clerk

Approved as to form:



Publish One Time

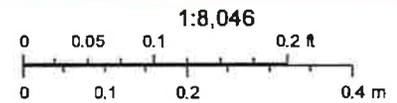
Master Land Use: From ETJ Neighborhood Commercial to ETJ Light Industrial 12934 Old Highway 71

5H



November 19, 2014

Fort Smith City Limits



- Commercial
- Commercial Neighborhood

ORDINANCE NO. 3-15**AN ORDINANCE AMENDING THE MASTER LAND USE PLAN MAP AND
REZONING IDENTIFIED PROPERTY AND AMENDING THE ZONING MAP**

WHEREAS, the City Planning Commission has held a public hearing to consider a request 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 December 9, 2014, that said change be made; and,

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

WHEREAS, the City Planning Commission has heretofore held a public hearing to consider request No. 25-12-14 to rezone certain properties hereinafter described, and, having considered said request, recommended on December 9, 2014, 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 Open Space and Office, Research & Light Industrial to Neighborhood Commercial and the Master Land Use Plan Map is hereby amended to reflect said amendment to-wit:

Part of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of Section 34, Township 8 North, Range 32 West, City of Fort Smith, Sebastian County, Arkansas, being more particularly described as follows:

Commencing at an existing rebar marking the northwest corner of said NE ¼ NW ¼; thence S 03°11'08"W, along the West line of said NE ¼ NW ¼, 283.87 feet to a set iron

pin; thence S 87°25'37"E, leaving said West line of NE ¼ NW ¼, 21.35 feet to a set iron pin marking the point of beginning; thence S 87°25'06"E, 231.80 feet; thence S 03°16'04"W, 18.72 feet; S 86°52'23" E, 447.58 feet; thence S 03°16'06" W, 260.00 feet to a point along the northerly right-of-way line of Phoenix Avenue; thence N 86°52'23" W, along said northerly right-of-way line, 656.55 feet; thence N 35°16'41" W, 23.56 feet to a set iron pin on the easterly right-of-way line of South 31st Street; thence N 03°26'10"W along said easterly right-of-way line of South 31st Street, 51.87 feet to a set iron pin; thence N 02°41'26" E continuing along said easterly right-of-way line of South 31st Street, 206.53 feet to the point of beginning containing 4.13 acres, more or less, being subject to public road rights-of-way and any easements of record.

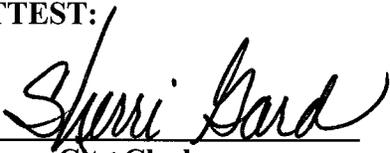
more commonly known as 3101-3225 Phoenix Avenue, subject to a drainage plan and a traffic study being submitted and approved prior to any development.

SECTION 2: The real property described in Section 1 is hereby rezoned from Residential Multi-Family Medium/High Density (RM-3) to a Planned Zoning District by Classification. The approved change in zoning classification is based and conditioned upon the Planned Zoning District provisions of Section 27-341 of the Unified Development Ordinance and the Planned Zone 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.

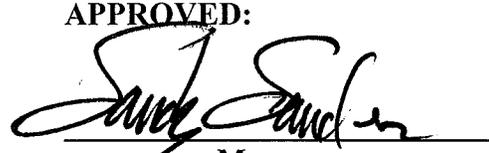
PASSED AND APPROVED THIS 6th DAY OF January, 2015.

ATTEST:



City Clerk

APPROVED:



Mayor

Approved as to form:



Publish One Time

Master Land Use: From Open Space & Office, Research & Light Industrial to Neighborhood Commercial

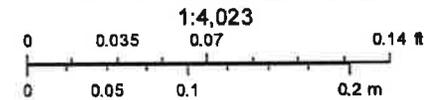
4613 South 31st Street & 3101, 3201 and 3225 Phoenix Avenue

HS

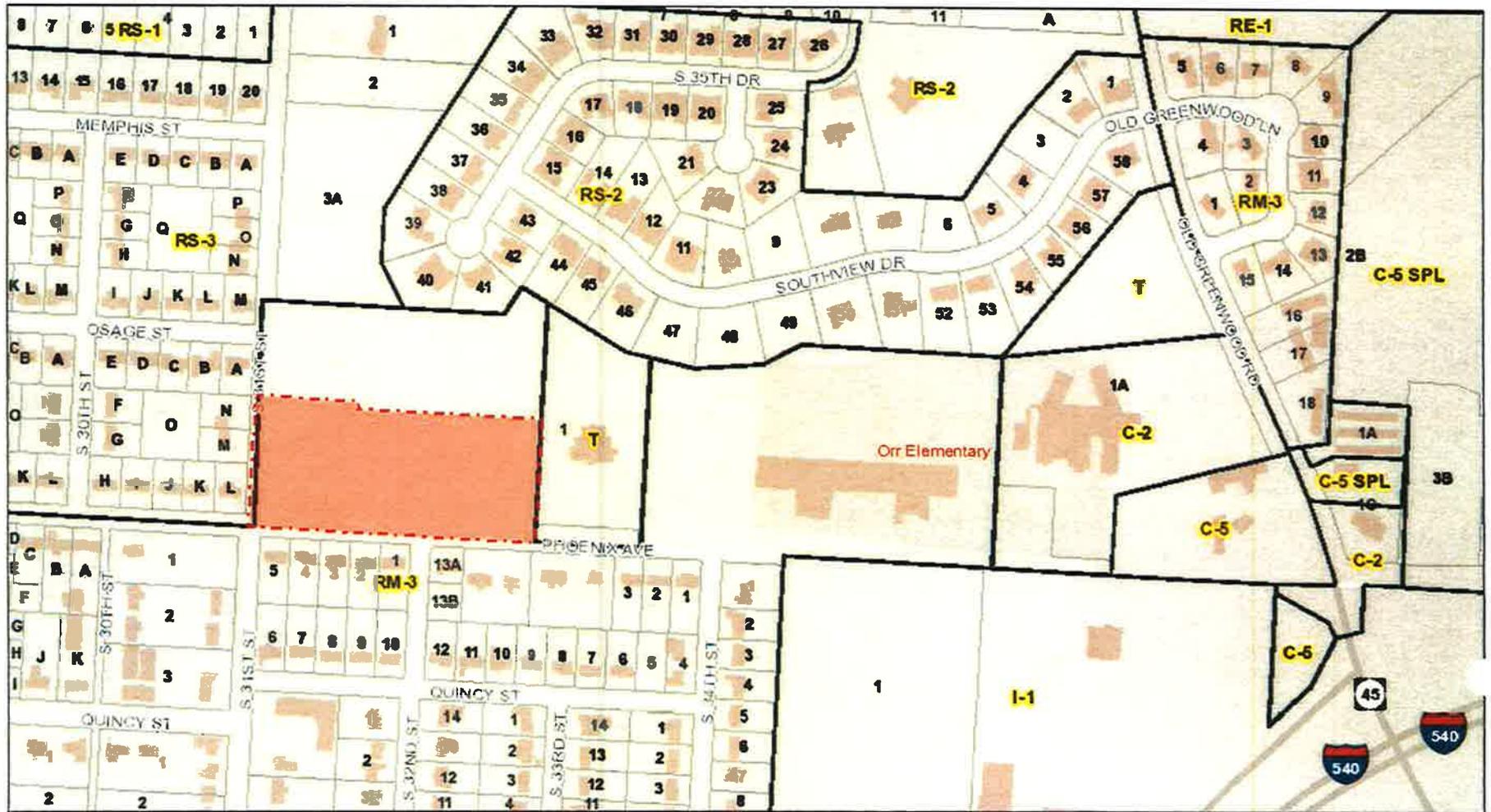


November 19, 2014

-  Fort Smith City Limits
-  Building Footprints
-  Commercial

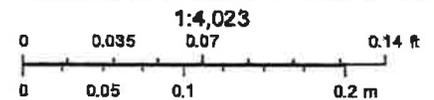


Rezoning #25-12-14: From Residential Multifamily Medium Density (RM-3) to PZD 4613 South 31st Street & 3101, 3201 and 3225 Phoenix Avenue



November 19, 2014

- Fort Smith City Limits
- Building Footprints
- Zoning
- Subdivisions



822

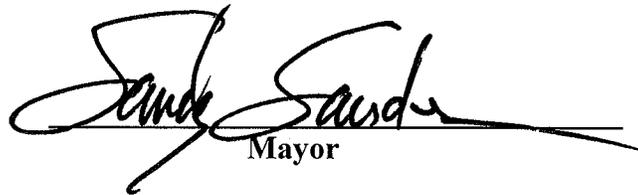
RESOLUTION NO. R-1-15

A RESOLUTION APPROVING A PRE-ANNEXATION AGREEMENT
FOR SUPERIOR FEDERAL TRACT 1

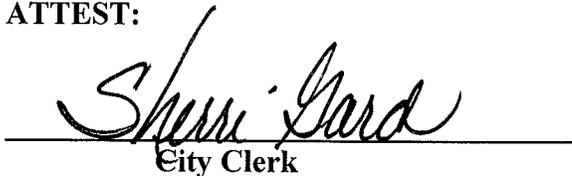
BE IT RESOLVED by the Board of Directors of the City of Fort Smith, Arkansas, that the Mayor and City Clerk are hereby authorized to execute a pre-annexation agreement with Arvest Bank.

THIS RESOLUTION APPROVED THIS 6th DAY OF JANUARY, 2015.

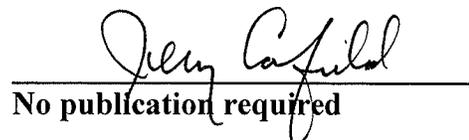
APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to form:


No publication required

ORDINANCE NO. 4-15

**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 the 20th day of October, 2014, the County Court of Sebastian County, Arkansas, Greenwood District, there came to be heard a Petition, in proper form and substance, executed by all of the real estate owners in the territory to be annexed;

WHEREAS, the property desired to be annexed was described accurately as follows:

Tract 1 of Superior Federal Tracts 1 & 2, as filed for record August 12, 1999.

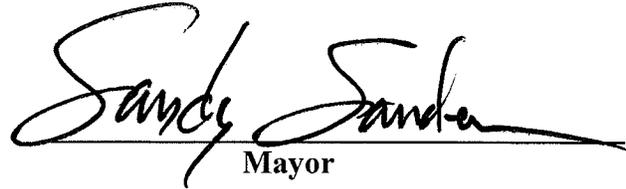
WHEREAS, the County Court for Sebastian County, Arkansas, Greenwood District approved the Petition and ordered the annexation of the described property.

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

The territory above described be accepted into the City of Fort Smith, Arkansas, annexed to the City of Fort Smith, Arkansas, and made a part thereof for all purposes as provided by law.

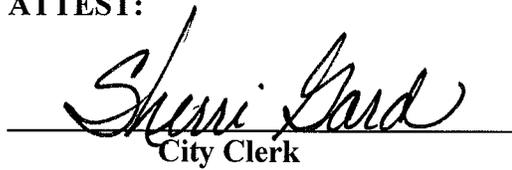
PASSED AND APPROVED THIS 6th DAY OF JANUARY 2015.

APPROVED:



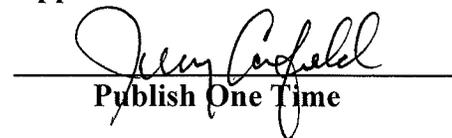
Mayor

ATTEST:



City Clerk

Approved as to form:



Publish One Time

SUPERIOR FEDERAL TRACTS 1 & 2

BEING A PART OF THE NE 1/4 SE 1/4, SECTION 23, T-7-N, R-32-W
SEBASTIAN COUNTY, ARKANSAS.

PLANNING COMMISSION APPROVAL:

Chairman [Signature] Date: 8/12/99
Secretary [Signature] Date: 8/12/99

ALLOTTEE:

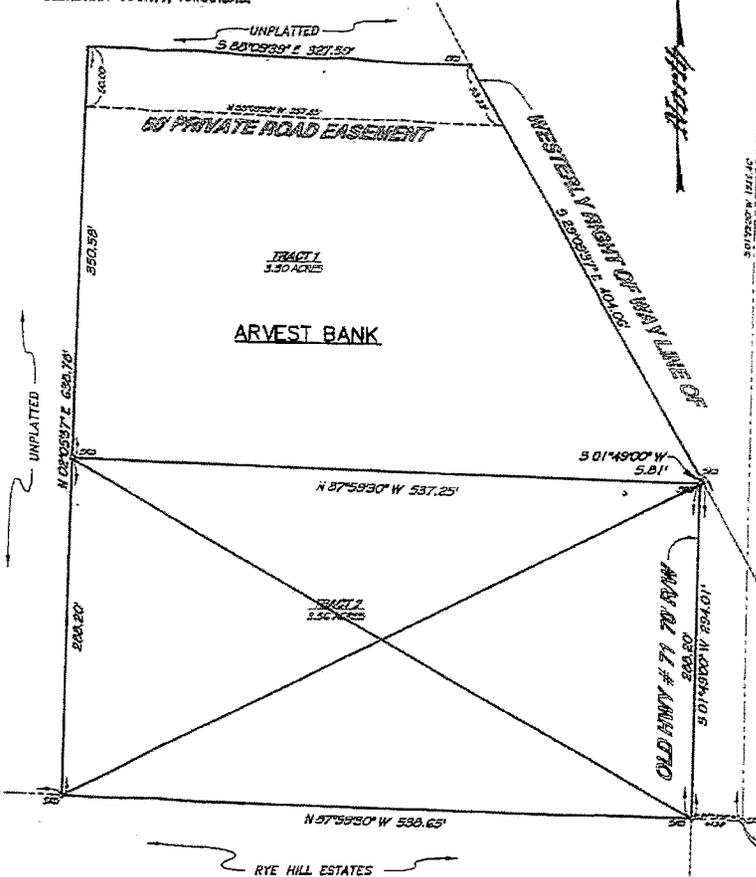
BY [Signature]
BY [Signature]

STATE OF ARKANSAS,

COUNTY OF Sebastian SWORN AND SUBSCRIBED TO BY,
THIS DAY August 4 1999
Notary Public [Signature]
My Commission Expires 9/1/99

FILED FOR RECORD This 12 day of August 1999
at 4:33 o'clock P.M. FRANCY BRUNER, Circuit
Clerk and Ex-Officio Recorder, BY [Signature]

TOTAL ACRES = 7.06 ACRES



PROPERTY DESCRIPTION

Superior Federal Tracts 1 & 2 being a part of the Northeast Quarter of the Southeast Quarter of Section 23, Township 7 North, Range 32 West, Sebastian County, Arkansas being more particularly described as follows:

Commencing at the Southwest Corner of the Northeast Quarter of the Southeast Quarter, Thence along the South line of said Forty, South 27 degrees 59 minutes 30 seconds East, 756.00 feet to a set corner and the Point of Beginning, Thence leaving said South line, North 02 degrees 05 minutes 37 seconds East, 638.70 feet, Thence South 08 degrees 09 minutes 39 seconds East, 357.59 feet to an existing corner on the Western right of way line of U.S. Highway 71 South, Thence along said right of way line, South 28 degrees 00 minutes 37 seconds East, 408.00 feet to a set corner, Thence along Old Highway 71 right of way line, South 01 degree 49 minutes 00 seconds West, 294.00 feet to a set corner on the South line of the Northeast Quarter of the Southeast Quarter and the North line of Rye Hill Estates, Thence leaving said right of way line and along the South line of said Forty, and the North line of Rye Hill Estates, North 07 degrees 50 minutes 30 seconds West, 538.65 feet to the Point of Beginning, containing 7.06 acres and subject to Easements of Record.

Walterfield Land Surveyors P.L.L.C.
Any unrecorded use of this platting is void by virtue of the law which voids unrecorded land transactions. P.L.L.C. shall be held harmless and without liability from claims, suits, or damages of any nature including claims of attorneys arising from negligent use of this platting or errors, or by omission therefrom.

<p>Scale of Platting 1000000 1" = 50' W. ON SOUTH LINE</p>		<p>LEGEND</p> <ul style="list-style-type: none"> ○ = IRON CORNER ○ = 1/4" IRON PIPE ○ = 1/2" IRON PIPE ○ = 3/4" IRON PIPE ○ = 1" IRON PIPE ○ = 1 1/2" IRON PIPE ○ = 2" IRON PIPE ○ = 3" IRON PIPE ○ = 4" IRON PIPE ○ = 6" IRON PIPE ○ = 8" IRON PIPE ○ = 10" IRON PIPE ○ = 12" IRON PIPE ○ = 14" IRON PIPE ○ = 16" IRON PIPE ○ = 18" IRON PIPE ○ = 20" IRON PIPE ○ = 24" IRON PIPE ○ = 30" IRON PIPE ○ = 36" IRON PIPE ○ = 42" IRON PIPE ○ = 48" IRON PIPE ○ = 54" IRON PIPE ○ = 60" IRON PIPE ○ = 72" IRON PIPE ○ = 84" IRON PIPE ○ = 96" IRON PIPE ○ = 108" IRON PIPE ○ = 120" IRON PIPE ○ = 144" IRON PIPE ○ = 168" IRON PIPE ○ = 192" IRON PIPE ○ = 216" IRON PIPE ○ = 240" IRON PIPE ○ = 270" IRON PIPE ○ = 300" IRON PIPE ○ = 324" IRON PIPE ○ = 348" IRON PIPE ○ = 372" IRON PIPE ○ = 396" IRON PIPE ○ = 420" IRON PIPE ○ = 444" IRON PIPE ○ = 468" IRON PIPE ○ = 492" IRON PIPE ○ = 516" IRON PIPE ○ = 540" IRON PIPE ○ = 564" IRON PIPE ○ = 588" IRON PIPE ○ = 612" IRON PIPE ○ = 636" IRON PIPE ○ = 660" 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ORDINANCE NO. 5-15

AN ORDINANCE AMENDING THE MASTER LAND USE PLAN MAP AND REZONING IDENTIFIED PROPERTY AND AMENDING THE ZONING MAP

WHEREAS, the City Planning Commission has held a public hearing to consider a request 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 December 9, 2014, that said change be made; and,

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

WHEREAS, the City Planning Commission has heretofore held a public hearing to consider request No. 23-12-14 to rezone certain properties hereinafter described, and, having considered said request, recommended on December 9, 2014, 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 Extra Territorial Jurisdiction Neighborhood Commercial to General Commercial and the Master Land Use Plan Map is hereby amended to reflect said amendment to-wit:

Tract 1 of Superior Federal Tracts 1 & 2, as filed for record August 12, 1999 more commonly known as 11808 Highway 71 South.

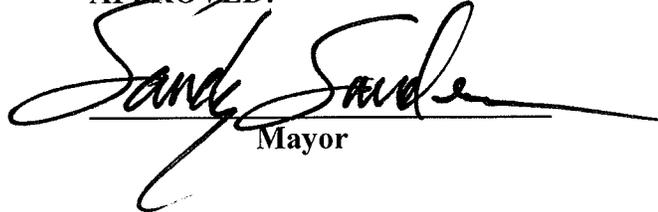
SECTION 2: The real property described in Section 1 above is hereby rezoned from Extraterritorial Jurisdiction Open-1 (ETJ O-1) to Commercial Moderate (C-3) by Classification, subject to annexation approval

by the City of Fort Smith Board of Directors.

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

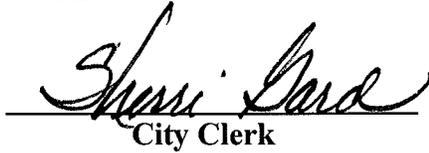
PASSED AND APPROVED THIS 6th DAY OF January, 2015.

APPROVED:



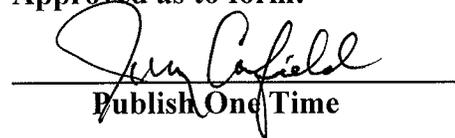
Mayor

ATTEST:



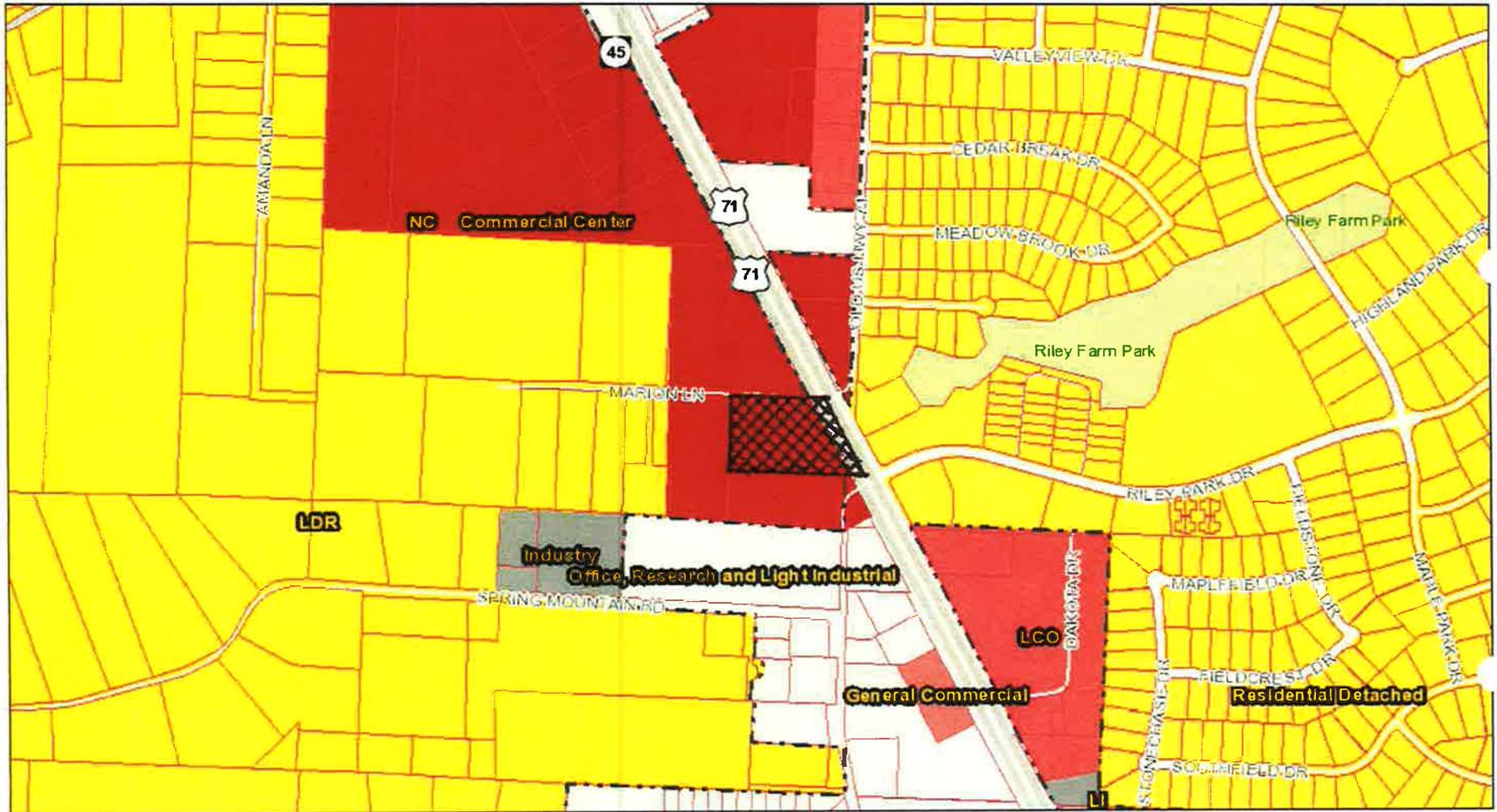
City Clerk

Approved as to form:



Publish One Time

Master Land Use: From ETJ Neighborhood Commercial to General Commercial 11808 US Highway 71



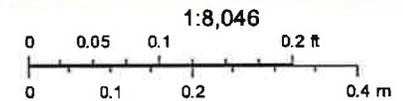
November 19, 2014

Fort Smith City Limits

Parcels

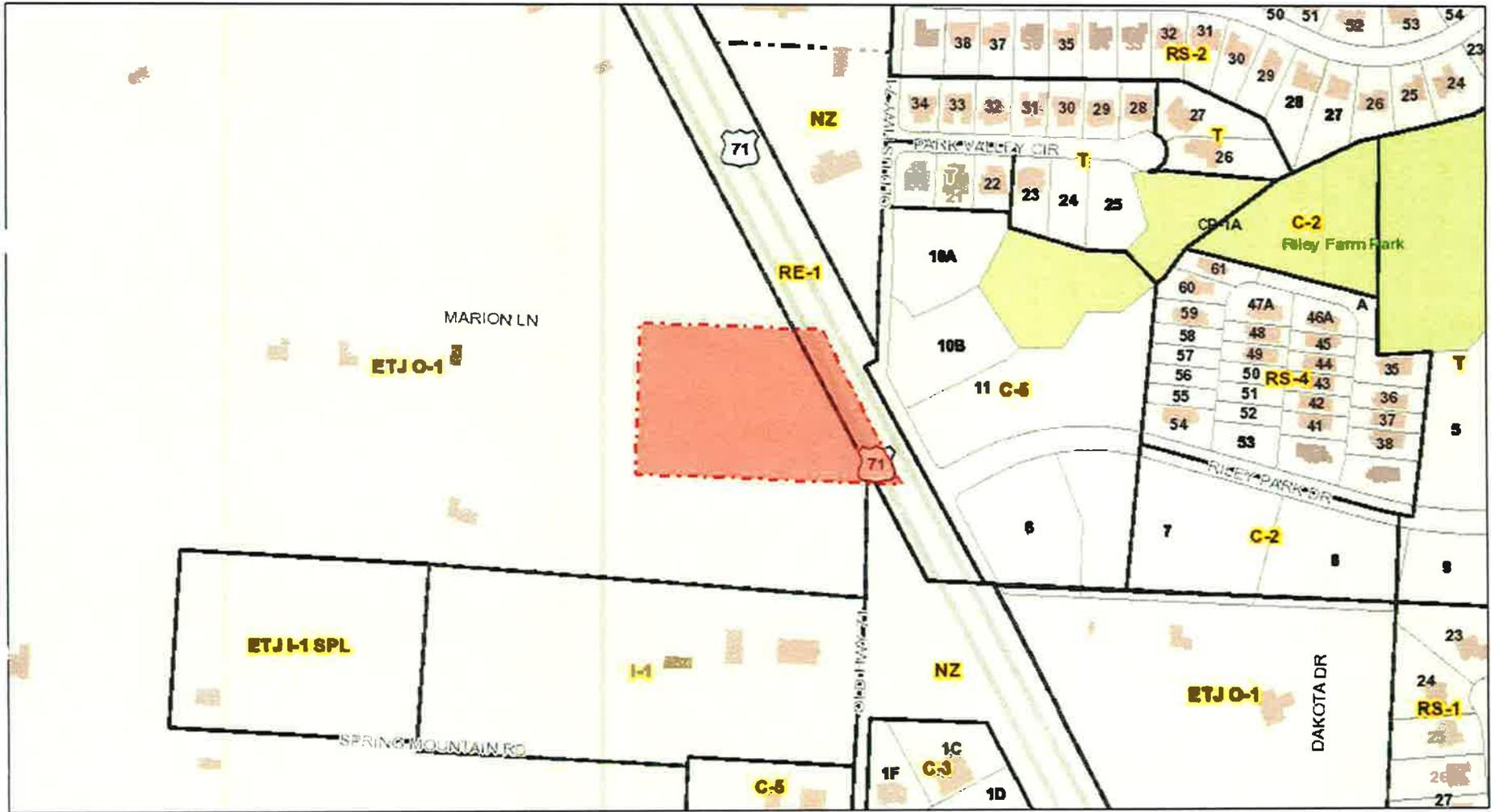
Commercial

BT



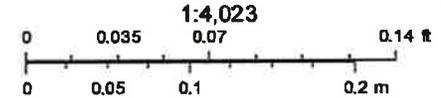
Rezoning #23-12-14: From ETJ Open-1 to Commercial Moderate (C-3) 11808 US Highway 71

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November 19, 2014

- Fort Smith City Limits
- Building Footprints
- Zoning
- Subdivisions



Tax Back

Resolution



RESOLUTION No. R. 2-15

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF BUSINESS TO PARTICIPATE IN THE TAX BACK PROGRAM (AS AUTHORIZED BY SECTION 15-4-2706(d) OF THE CONSOLIDATED INCENTIVE ACT OF 2003).

WHEREAS, in order to be considered for participation in the Tax Back Program, the local government must endorse a business to participate in the Tax Back Program; and

WHEREAS, the local government must authorize the refund of local sales and use taxes as provided in the Consolidated Incentive Act of 2003; and

WHEREAS, said endorsement must be made on specific form available from the Arkansas Economic Development Commission; and

WHEREAS, ArcBest Corporation of Fort Smith, Arkansas has sought to participate in the program and more specifically has requested benefits accruing from construction and/or expansion of the specific facility; and

WHEREAS, ArcBest Corporation has agreed to furnish the local government all necessary information for compliance.

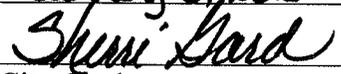
NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

1. ArcBest Corporation be endorsed by the Board of Directors of the City of Fort Smith for benefits from the sales & use tax refunds as provided by Section 15-4-2706(d) of the Consolidated Incentive Act of 2003.
2. **The Department of Finance and Administration is authorized to refund local sales and use taxes to ArcBest Corporation.**
3. This resolution shall take effect immediately.

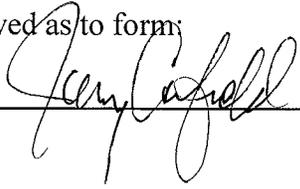


Mayor

Date Passed: January 6, 2015

Attest: 

City Clerk

Approved as to form:


NPR

RESOLUTION NO. R.3-15

A RESOLUTION AUTHORIZING AN ENGINEERING SERVICES AGREEMENT FOR THE DESIGN OF A PROJECT IN THE 2015 SALES TAX PROGRAM

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

SECTION 1: The Mayor is authorized to execute the engineering services agreement for the design of the following project in the 2015 Sales Tax Program utilizing the one cent sales tax proceeds.

Project No.	Description	Engineering Firm	Maximum Fee
15-01-A	Kelley Highway Extension – Midland Boulevard to Riverfront Drive	Morrison Shipley Engineers	\$827,381.25

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

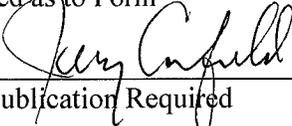
This Resolution adopted this 6th day of January, 2015.

APPROVED:

 Mayor

ATTEST:

 City Clerk

Approved as to Form

 No Publication Required

ORDINANCE NO. 6-15

AN ORDINANCE
AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT
WITH THE U. S. MARSHALS MUSEUM, INC. FOR
CERTAIN SERVICES FOR INHABITANTS OF THE CITY OF FORT SMITH

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

SECTION 1: The Mayor is hereby authorized to execute, his signature being attested by the City Clerk, that certain agreement with the U. S. Marshals Museum, Inc. providing for the payment by the City to the U. S. Marshals Museum, Inc. up to a maximum of \$50,000 during calendar year 2015 for services provided to the City that shall consist of maintaining the national fundraising campaign which facilitates the continued planning, design, and construction of the U. S. Marshals Museum on the Arkansas riverfront in downtown Fort Smith.

SECTION 2: It is hereby declared and determined by the Board of Directors that the agreement authorized by Section 1 above deals with providing services in an exceptional situation where competitive bidding procedures are not feasible so that such competitive bidding procedures are hereby waived with reference to such agreement.

Passed and approved this 6th day of January, 2015.

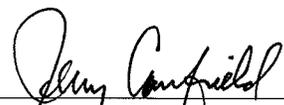
APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM


No Publication Required

RESOLUTION NO. R-4-15

**RESOLUTION ACCEPTING BIDS FOR THE PURCHASE OF
AGGREGATES, SAND, CONCRETE, AND ASPHALT CONCRETE
PRODUCTS FOR 2015**

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

The Bids, as indicated by enclosure on the attached Bid Tabulation
12-30-14BA for the purchase of concrete, asphalt, and other materials for 2015, are
accepted.

This Resolution adopted this 6th day of January, 2015.

APPROVED:

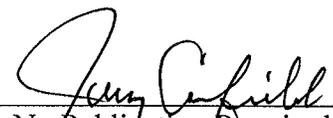

MAYOR

ATTEST:



CITY CLERK

Approved as to form:



 No Publication Required

Tabulation of Bids for Concrete and Sand for **2015**

Bid Tab: 12-30-14BA

Description

Crushed Stone (Aggregate Base)
 3/4" to 1 1/2" Concrete Rock
 Rip Rap
 Gabion Stone
 Concrete Class AAA/4000 PSI
 Concrete Class AAA (AE)/4000 PSI
 Concrete Class AAA (AE)(HES)/4000 PSI
 Concrete Class AA/3500 PSI
 Concrete Class AA AE/3500 PSI
 Concrete Class AA AE HES/3500 PSI
 Concrete Class A/3000 PSI
 Concrete Class A (AE)/3000 PSI
 Concrete Class A (AE)(HES)/3000 PSI
 Concrete Class B/2500 PSI
 Concrete Class B (HES)/2500 PSI
 Utility Backfill (Slurry)
 Sand
 Stone Chips

APAC-Central, Inc. (Arkholo)					Mid-Continent					Bid Item #
Ft. Smith, AR					Ft. Smith, AR					
At Plant *		At Plant **		At Plant	Delivered	At Plant		Delivered		
\$11.55	✓	\$11.80	✓	N/A	N/A	N/A		N/A		2
\$12.70	✓	\$13.45	✓	N/A	N/A	N/A		N/A		3
\$17.00	✓	\$17.00	✓	N/A	N/A	N/A		N/A		4
N/A		\$13.75	✓	N/A	N/A	N/A		N/A		5
N/A		N/A		\$81.00	\$93.00	\$75.00	✓	\$87.00	✓	6a
N/A		N/A		\$81.00	\$93.00	\$75.00	✓	\$87.00	✓	6b
N/A		N/A		\$94.00	\$108.00	\$88.00	✓	\$102.00	✓	6c
N/A		N/A		\$78.00	\$91.00	\$74.00	✓	\$85.00	✓	6d
N/A		N/A		\$78.00	\$91.00	\$74.00	✓	\$85.00	✓	6e
N/A		N/A		\$94.00	\$108.00	\$87.00	✓	\$100.00	✓	6f
N/A		N/A		\$74.50	\$88.00	\$73.00	✓	\$84.00	✓	6g
N/A		N/A		\$74.50	\$88.00	\$73.00	✓	\$84.00	✓	6h
N/A		N/A		\$92.50	\$108.00	\$86.00	✓	\$100.00	✓	6i
N/A		N/A		\$74.50	\$106.00	\$71.00	✓	\$83.00	✓	6j
N/A		N/A		\$90.50	\$106.00	\$85.00	✓	\$99.00	✓	6k
N/A		N/A		\$56.00	\$66.00	\$55.00	✓	\$65.00	✓	7
N/A		N/A		\$8.65	✓ N/A	N/A		N/A		8
N/A		N/A		\$15.00	✓ N/A	N/A		N/A		12

Optional Items

Calcium Chloride – 1% (Per Cubic Yard)
 Calcium Chloride – 2% (Per Cubic Yard)
 Fiber (Per Bag)

					\$3.00			\$3.00		N/A
					\$6.00			\$6.00		N/A
					\$6.00			\$6.00		N/A

All Prices Firm for 2015

✓ Awarded Bid

* Preston Plant

** Jenny Lind Plant

Tabulation of Bids for Concrete and Sand for **2015**
Bid Tab: 12-30-14BA

<u>Description</u>	Arkhola Sand & Gravel Ft. Smith, AR		JOB Construction Poteau, OK		Bid Item #
	At Plant		At Plant		
Asphalt Concrete Hot Mix Surface Course (II)	\$73.00	✓	N/A		9
Asphalt Concrete Cold Plant Mix	\$95.00	✓	N/A		10
Asphalt Concrete High Performance Cold Mix	N/A		\$108.00	✓	11
Asphaltic Concrete Hot Mix Binder Course	\$68.00	✓	N/A		13
Asphaltic Concrete Hot Mix Surface Course	\$73.00	✓	N/A		14
Asphaltic Concrete Hot Mix Surface Course-AHTD 12.5 mm	\$82.00	✓	N/A		15
Asphaltic Concrete Hot Mix Surface Course-AHTD 9.5 mm	\$84.00	✓	N/A		16

All Prices Firm for 2015

✓ Awarded Bid

Tabulation of Bids for Concrete and Sand for **2014**

Bid Tab: 12-20-13BA

Description

Crushed Stone (Aggregate Base)

3/4" to 1 1/2" Concrete Rock

Rip Rap

Gabion Stone

Concrete Class AAA/4000 PSI

Concrete Class AAA (AE)/4000 PSI

Concrete Class AAA (AE)(HES)/4000 PSI

Concrete Class AA/3500 PSI

Concrete Class AA AE/3500 PSI

Concrete Class AA AE HES/3500 PSI

Concrete Class A/3000 PSI

Concrete Class A (AE)/3000 PSI

Concrete Class A (AE)(HES)/3000 PSI

Concrete Class B/2500 PSI

Concrete Class B (HES)/2500 PSI

Utility Backfill (Slurry)

Sand

Stone Chips

APAC-Central, Inc. (Arkhola)						Mid-Continent				Bid Item #
Ft. Smith, AR						Ft. Smith, AR				
At Plant *		At Plant **		At Plant	Delivered	At Plant		Delivered		
\$11.55	✓	\$11.80	✓	N/A	N/A	N/A		N/A		2
\$12.70	✓	\$13.45	✓	N/A	N/A	N/A		N/A		3
\$17.00	✓	\$17.00	✓	N/A	N/A	N/A		N/A		4
\$13.74	✓	\$13.75	✓	N/A	N/A	N/A		N/A		5
N/A		N/A		\$81.00	\$93.00	\$70.00	✓	\$84.00	✓	6a
N/A		N/A		\$81.00	\$93.00	\$70.00	✓	\$84.00	✓	6b
N/A		N/A		\$94.00	\$108.00	\$86.00	✓	\$97.00	✓	6c
N/A		N/A		\$76.50	\$90.00	\$69.00	✓	\$80.00	✓	6d
N/A		N/A		\$76.50	\$90.00	\$69.00	✓	\$80.00	✓	6e
N/A		N/A		\$92.00	\$106.00	\$85.00	✓	\$96.00	✓	6f
N/A		N/A		\$74.50	\$88.00	\$68.00	✓	\$80.00	✓	6g
N/A		N/A		\$74.50	\$88.00	\$68.00	✓	\$80.00	✓	6h
N/A		N/A		\$90.50	\$106.00	\$84.00	✓	\$95.00	✓	6i
N/A		N/A		\$74.50	\$106.00	\$67.00	✓	\$78.00	✓	6j
N/A		N/A		\$90.50	\$106.00	\$83.00	✓	\$94.00	✓	6k
N/A		N/A		\$56.00	\$66.00	\$52.00	✓	\$59.00	✓	7
N/A		N/A		\$8.65	✓ N/A	No Bid		No Bid		8
N/A		N/A		\$15.00	✓ N/A	No Bid		No Bid		12

All Prices Firm for 2014

✓ Awarded Bid

* Preston Plant

** Jenny Lind Plant

Tabulation of Bids for Concrete and Sand for **2014**
Bid Tab: 12-20-13BA

Description

**Arkhola Sand & Gravel
Ft. Smith, AR**

**JOB Construction
Poteau, OK**

Asphalt Concrete Hot Mix Surface Course (II)
 Asphalt Concrete Cold Plant Mix
 Asphalt Concrete High Performance Cold Mix
 Asphaltic Concrete Hot Mix Binder Course
 Asphaltic Concrete Hot Mix Surface Course
 Asphaltic Concrete Hot Mix Surface Course-AHTD 12.5 mm
 Asphaltic Concrete Hot Mix Surface Course-AHTD 9.5 mm

At Plant	
\$73.00	✓
\$95.00	✓
N/A	
\$68.00	✓
\$73.00	✓
\$82.00	✓
\$84.00	✓

At Plant		Bid Item #
N/A		9
N/A		10
No Bid		11
N/A		13
N/A		14
N/A		15
N/A		16

All Prices Firm for 2014

✓ Awarded Bid

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH SHANNON & WILSON, INC., FOR PROVIDING ENGINEERING SERVICES ASSOCIATED WITH YEAR 2015 POST CONSTRUCTION MONITORING AND INSPECTION OF THE LAKE FORT SMITH DAM AND RESERVOIR

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

SECTION 1: An Agreement with Shannon & Wilson, Inc, for providing engineering services associated with Year 2015 Post Construction Monitoring and Inspection of the Lake Fort Smith Dam and Reservoir, Project Number 15-02-ED1, is hereby approved.

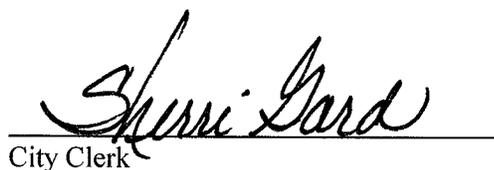
SECTION 2: The Mayor is hereby authorized to execute an Agreement for an amount of \$91,032.00, for performance of said services.

This Resolution adopted this 6th day of January 2015.

APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


npr