



MAYOR

George B McGill

CITY ADMINISTRATOR

Carl E Geffken

CITY CLERK

Sherri Gard

BOARD OF DIRECTORS

Ward 1 - Jarred Rego

Ward 2 - Andre' Good

Ward 3 - Lavon Morton

Ward 4 - George Catsavis

At-Large Position 5 - Christina Catsavis

At-Large Position 6 - Kevin Settle

At-Large Position 7 - Neal Martin

AGENDA

Fort Smith Board of Directors SPECIAL MEETING & STUDY SESSION

June 25, 2024 ~ 6:00 p.m.

Blue Lion

101 North 2nd Street

Fort Smith, Arkansas

THIS MEETING IS BEING TELECAST LIVE AT THE FOLLOWING LINK:

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

SPECIAL MEETING

(Special Meeting called by Directors Lavon Morton, C. Catsavis, Kevin Settle, and Neal Martin at the June 4, 2024 regular meeting)

ROLL CALL

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 the Fort Smith Municipal Code)*

ITEMS OF BUSINESS - SPECIAL MEETING

1. Resolution accepting and filing the external auditor's report on the City's financial statements, Uniform Guidance Audit, and report on the City's compliance with certain State Acts for the year ended December 31, 2023 *(Finance)*

ADJOURN

STUDY SESSION

CALL TO ORDER

ITEMS OF BUSINESS - STUDY SESSION

1. Discussion regarding blight in the city of Fort Smith ~ *Martin/Morton placed on a future study session agenda at the April 23, 2024 study session / Originally scheduled for the June 11, 2024 study session agenda; however, Directors Morton, C. Catsavis, Settle and Martin placed on June 25, 2024 agenda at the June 4, 2024 regular meeting ~ (City Administrator)*
2. Discuss third-party review of the Fort Smith Animal Haven audit ~ *Rego/Good placed on the June 11, 2024 study session agenda at the May 7, 2024 regular meeting / Directors Morton, C. Catsavis, Settle and Martin concurred to place on June 25, 2024 study session agenda at the June 4, 2024 regular meeting ~ (Finance)*
3. Presentation of proposed design of new animal shelter *(City Administrator)*
4. Review preliminary agenda for the July 9, 2024 regular meeting *(City Clerk)*

CITIZENS FORUM *(Due to cancellation of the June 11, 2024 study session)*

ADJOURN



MEMORANDUM

TO: Carl Geffken, City Administrator
CC: Jeff Dingman, Deputy City Administrator
FROM: Andrew Richards, Finance Director
DATE: June 6, 2024
SUBJECT: Resolution to Accept the Final 2023 Annual Audit Report

SUMMARY

The proposed resolution for the Board to accept the 2023 Annual Comprehensive Financial Report ([ACFR](#)) is attached. The Audit Advisory Committee will meet June 20, 2024, to review the draft of the report and discuss the audit with the City's external audit firm. The audit firm is currently finalizing its engagement quality review of the audit.

One of the reporting requirements which the [ACFR](#) fulfills is the City's annual financial disclosure requirements due June 30, 2024 via electronic submission through the Municipal Securities Rulemaking Boards' EMMA website. City staff anticipates having the [ACFR](#) final and submitted by June 30, 2024 with the final audited version.

George Moschner, Audit & Advisory Committee Chairman, will present the results of the 2023 Audit to the Board of Directors at the meeting.

Please call with any questions.

ATTACHMENTS

1. [6-25-24_Item_ID_127_Finance.pdf](#)

RESOLUTION NO. _____

RESOLUTION ACCEPTING AND FILING THE EXTERNAL AUDITOR'S REPORT ON THE CITY'S FINANCIAL STATEMENTS, UNIFORM GUIDANCE AUDIT, AND REPORT ON THE CITY'S COMPLIANCE WITH CERTAIN STATE ACTS FOR THE YEAR ENDED DECEMBER 31, 2023

WHEREAS, the City of Fort Smith, Arkansas ("City") is a public corporation created in 1842, operating since 1967 under the City Administrator Form of Municipal Government, as authorized in Title 14, Chapter 48 of the Arkansas Code of 1987 Annotated; and

WHEREAS, § 14-48-123 of the Arkansas Code of 1987 Annotated, states, "The board of directors shall have the financial affairs of the city audited annually by the Division of Legislative Audit of the State of Arkansas or by an independent certified public accountant who is not otherwise in the service of the city"; and

WHEREAS, the City's External Auditor, FORVIS, LLP, is finalizing the audit and is prepared to issue its Audit Report on the City's Financial Statements for the year ended December 31, 2023 ("Audit Report"), its report on the City's compliance with requirements for each of the City's major federal programs ("Uniform Guidance Audit"), and its report on the City's compliance with certain state acts for the year ended December 31, 2023 ("State Compliance Report"); and

WHEREAS, on June 20, 2024, the Audit Advisory Committee ("Committee") met, reviewed, accepted, and recommended that the Board accept and file the External Auditor's Audit Report either in draft or final; and

WHEREAS, staff recommends the Board accept and file the External Auditor's Audit Report, the Uniform Guidance Audit, and the State Compliance Report either in draft or final.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Fort Smith, Arkansas, as follows:

That the Board of Directors of the City of Fort Smith, Arkansas, hereby accepts and files either in draft or final the External Auditor's Audit Report, the Uniform Guidance Audit, and the State Compliance Report, copies of which are on file with the Office of the City Clerk.

THIS RESOLUTION ADOPTED THIS ____ DAY OF JUNE, 2024.

APPROVED:

Mayor

ATTEST: _____
City Clerk

APPROVED AS TO FORM:



City Attorney



MEMORANDUM

TO: Carl E. Geffken, City Administrator
FROM: Jeff Dingman, Deputy City Administrator
DATE: June 20, 2024
SUBJECT: Study Session Discussion on the issue of blight in the City of Fort Smith

SUMMARY

Goal No. 1 of six stated strategic objectives by the Board of Directors for 2024 is to "Reduce neighborhood blight by providing more resources for demolition and code enforcement. Examine the use of a grid-based code enforcement program." The Board of Directors asked for a study session discussion on this topic, and that is scheduled for the June 25, 2024 study session.

Specific discussion of this Goal No. 1 will relate to steps taken in the 2024 budget to increase funding the the "Demolition & Cleanup Fund" that is 90% funded by allocation to the Solid Waste Fund. The budget line item for outside services (typically third-party demolition contractors) was increased to \$300,000 for FY2024, compared to \$150,000 in 2023 and \$135,000 for several years prior to that. Adding additional resources to this budget line item with the specific intent of tackling more dilapidated structures and neglected properties is specifically in response to this strategic objective. Neighborhood Services Supervisor Shawn Gard has provided the attached report regarding Environmental Enforcement actions taken in 2024.

Additionally, Director of Community Development Candyce Gabucci has identified some possible uses for CDGB funds to address blight. With the upcoming required update to the five year plan in 2025, this is a good time to begin the discussion of perhaps redirecting some of the CDBG funds to to these efforts.

Finally, City of Little Rock has established a Land Bank Commission with the express stated purposes of reversing blight, increasing home ownership, stabilizing property values, providing affordable housing and improving the health and safety of the city's neighborhoods. Little Rock is the only city in the state currently doing this, and Ms. Gabucci and I have both reached out to the staff that facilitates that function.

ATTACHMENTS

1. [20240612 Blighted Properties 6 Month Progress Report - Shawn Gard.pdf](#)
2. [BoardStudySessionItem6.18.24.pdf](#)



Strategic #1 Goal Blighted Properties - Update

Dear Board Members/Administration,

The following information is an update on the 2024 progress of addressing blighted properties across the city. On September 29, 2023, the board labeled the number one strategic goal was to reduce neighborhood blight. Neighborhood Services inspectors and staff took this to heart and have worked diligently since the start of the year by increasing their efforts on nuisance properties across the city.

Environmental Enforcement

Environmental enforcement encompasses our Nuisance Ordinances Sections 14 & 16:

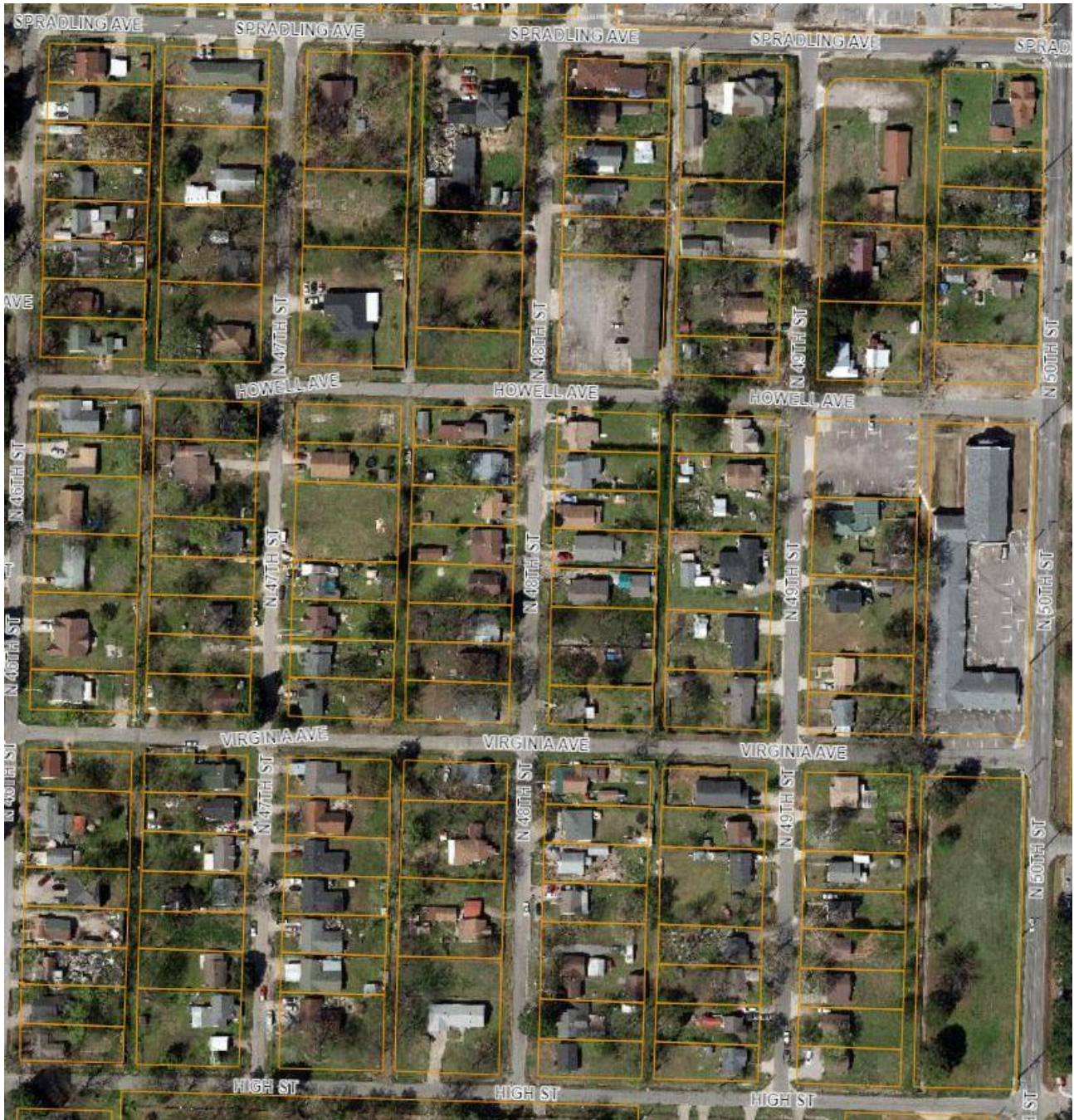
- Sec. 16 Overgrowth, trash/debris, graffiti, open storage, dead trees/limbs, indoor furniture, building materials etc.
- Sec. 14 Inoperable vehicles, trailers, recreational vehicles, commercial vehicles, general parking

	2023 Property Inspections	2024 Property Inspections	2023 Warnings Issued	2024 Warnings Issued	2023 Follow- Up Inspection	2024 Follow- Up Inspection	2023 Abatement	2024 Abatement
Jan	669	1004	652	986	379	459	7	6
Feb	629	1038	638	1025	611	1020	17	20
March	1027	1016	1007	1005	962	972	41	31
April	930	1110	893	1096	855	1113	14	61
May	1048	1142	1006	1107	1170	1337	88	105
Totals	4303	5310	4196	5219	3977	4901	167	223
Increase		↑24%		↑24%		↑23%		↑36%

The five environmental inspectors currently on staff have worked hard to achieve these significant increases in enforcement. It has been a challenge with the limited number inspectors, but they are dedicated to their job and to the city. With the increased efforts, we are beginning to see visible signs of improvements in our city neighborhoods.

Property Maintenance Housing Enforcement

TARGET AREA #1 – North Side



At the beginning of the year, Neighborhood Services canvassed the city in attempt to identify neighborhoods that appeared to lacking in general property and structure upkeep. We identified four target areas, which included two on the north side and two on the south. Our enforcement efforts began on the north side in the area pictured above.

Under the adopted Property Maintenance Code, our two housing inspectors have addressed **24 properties** within Target area number #1 for visible signs of deterioration and upkeep. Code violations that were addressed were not limited to the following areas.

- Roofing, siding, windows, accessory structures, fencing, painting, fascia, soffit etc.

Currently 8 out of the 24 have been brought into compliance with the majority of the others making progress.

TARGET AREA #2 – South Side



Starting in May, we began enforcement efforts in Target area number two.

Under the adopted Property Maintenance Code, our two housing inspectors have addressed **27 properties** thus far with several more left to be inspected within Target area number #2. Property Maintenance Code violations that were addressed were not limited to the following areas.

- Roofing, siding, windows, accessory structures, fencing, painting, fascia, soffit etc.

Note: We have met with some citizen frustration from both target areas and have assured everyone that we will work with them. For those that have contacted us it has been explained that as long as visible progress is noted at the time of a follow up inspections that an extension for continued progress will be granted.

TARGET AREA #3 – North Side (September 2024)



Starting in mid-September our next enforcement target area #3 will begin.

Currently Neighborhood Services has two inspectors dedicated to housing issues across the city. Enforcement of housing and accessory structure violations is a much more time consuming task compared to environmental code violations. Our inspectors must work with property owners, business owners, renters, citizens buying on contract, contractors, and families of deceased owners, trust attorneys and a host of others.

Environmental Court 2024 Vs 2023

- 14 percent increase in court hearings
- 70 percent increase in compliance

Note: Code inspectors have increased the issuance of citations for non-compliant property owners and renters. District court has increased the issuance of daily fines for failure to care and failure to abate on cases that go on unresolved for an extended period of time.

Submitted By:

Shawn Gard
Property Maintenance Supervisor
Neighborhood Services Division

TARGET AREA LETTER



Property Maintenance Neighborhood Improvement

Dear Owner or Authorized Agent,

The City of Fort Smith is currently working on improving the safety, health and aesthetics of our city neighborhoods. Once a quarter throughout the year, we will be selecting a section of the city that is in need attention to bring properties into compliance with the adopted Property Maintenance Code. Your neighborhood has been selected for the first quarter of 2024.

On July 20, 2004 the City of Fort Smith Board of Directors adopted the International Code Council Property Maintenance Code. The provisions of this code shall apply to all existing residential and nonresidential structures and all existing *premises* and constitute minimum requirements and standards for *premises*, structures, equipment and facilities for light, *ventilation*, space, heating, sanitation, protection from the elements, a reasonable level of safety from fire and other hazards, and for a reasonable level of sanitary maintenance; the responsibility of *owners*, an owner's authorized agent, *operators* and *occupants*; the *occupancy* of existing structures and *premises*, and for administration, enforcement and penalties.

If you are in receipt of this letter attached with a notice from the Neighborhood Code Enforcement Division it indicates there is some attention needed on the property that you either own or have interest in. Please take time to review the notice that was issued on the items indicated that require attention to achieve compliance. Communication with the inspector indicated below would be most beneficial as they can better explain what is required for the minimum standards to bring your property into compliance.

Please rest assured that city will work with you in allowing time to make the necessary repairs needed to meet the minimum standards of the adopted code. Inspections for progress are set up on a thirty (30) day cycle and as long as there is visible progress being made the next step in our enforcement efforts are extended an additional thirty (30) days allowing for more time to comply. The monthly scheduled inspections will be strictly adhered to by the inspector until the minimum standards under the code has been achieved.

To view the adopted 2018 International Property Maintenance Code please visit the city website listed below and click on yellow highlighted area entitled Property Maintenance Code.

<https://www.fortsmithar.gov/building-business/building-development/building-development-codes>

The following inspector indicated can assist you: Dean Polk (479)784-1075 Scott Hamilton (479)784-1607

Office Hours: Mon – Fri 8AM – 5PM

Please visit the city website at www.fortsmithar.gov to be better connected and receive important updates.

Thank you for your attention and helping to improve our city neighborhoods!

Memo

To: Carl Geffken
From: Candyce Gabucci
cc: Jeff Dingman
Date: June 18, 2024
Re: Blight

Mr. Geffken,

I have prepared a few comments as it relates to blight with the use of Community Development Block Grant/ HOME funds. The elimination of slums and blight serves as one of the national objectives of the Community Development Block Grant. The program addresses this

There are three categories that can be used to qualify activities under this national objective:

- Prevent or eliminate slums and blight on an area basis;
- Prevent or eliminate slum and blight on a spot basis; or
- Be in an urban renewal area.

Slum Blight Area Basis (SBA) This category covers activities that aid in the prevention or elimination of slums or blight in a designated area. Examples of activities that qualify when they are located within the slum or blighted area include – Rehabilitation of substandard housing located in a designated blighted area when the housing is brought to standard condition or Infrastructure improvements in a deteriorated area. To qualify under this category, the area in which the activity occurs must be designated as slum or blighted. The following tests apply: – The designated area in which the activity occurs must meet the definition of a slum, blighted,

deteriorated or deteriorating area under state or local law; – Additionally, the area must meet either one of the two conditions specified below: Public improvements throughout the area are in a general state of deterioration; or at least 25 percent of the properties throughout the area exhibit one or more of the following:

- Physical deterioration of buildings/improvements;
- Abandonment of properties;
- Chronic high occupancy turnover rates or chronic high vacancy rates in commercial or industrial buildings;
- Significant declines in property values or abnormally low property values relative to other areas in the community; or
- Known or suspected environmental contamination. – Documentation must be maintained by the grantee on the boundaries of the area and the conditions that qualified the area at the time of its designation.

The designation of an area as slum or blighted must be re-determined every 10 years for continued qualifications. Finally, eligible activities must address one or more of the identified conditions that contributed to the deterioration of the area. NOTE: When undertaking residential rehab in a slum/blight area, the building must be considered substandard under local definition and all deficiencies making the building substandard must be eliminated before less critical work is undertaken. Chapter 3: National Objectives Basically CDBG (May 2014) 3-14 HUD, Office of Block Grant Assistance 3.3.2 Slum Blight Spot Basis (SBS). These are activities that eliminate specific conditions of blight or physical decay on a spot basis and are not located in a slum or blighted area.

Examples include:

- Acquisition and demolition of a dilapidated property;
- Rehabilitation of a decayed community center that eliminates code violations that are detrimental to the health and safety of potential occupants like faulty wiring, falling plaster, or other similar conditions;
- Preservation of a deteriorated building of historic significance; and
- Financial assistance to a business to demolish a decayed structure. Activities under this category are limited to acquisition, clearance, relocation, historic preservation, remediation of environmentally contaminated properties, and building rehabilitation activities.

Furthermore, rehabilitation is limited to the extent necessary to eliminate a specific condition detrimental to public health and safety. 3.3.3 Slum Blight Urban Renewal Area (SBR). These are activities located within an Urban Renewal project area or Neighborhood Development Program (NDP) action area that are necessary to complete an Urban Renewal Plan. A copy of the Urban Renewal Plan in effect at the time the CDBG activity is carried out, including maps

and supporting documentation, must be maintained for record keeping purposes. This national objective category is rarely used as there are only a handful of communities with open Urban Renewal Plans. 3.4 Urgent Need (URG)

Currently, the City of Fort Smith's Community Development Office is using Community Development Block Grant funds for the prevention of blight through both our Housing Assistance and New Construction Programs.

The Housing Assistance Program, operated in-house by city staff, addresses health and safety issues within the homes of low income Fort Smith residents. The program offers a grant of up to \$15,000.00 with an additional loan of up to \$10,000.00 for a maximum of \$25,000.00 in assistance. Areas usually addressed in the program include HVAC, roofing, electrical, plumbing, and wheel chair accessibility. Many participants of the program are referred by the efforts of the Neighborhood Services Department.

Funds are also used from the Community Development Block Grant Program to purchase lots that are later used in the construction of affordable housing. HOME funds are used to construct homes- often in infill lots. The program helps to address vacancies in existing neighborhoods while also increasing properties values with the addition of new single family homes.



MEMORANDUM

TO: Carl E. Geffken, City Administrator
CC: Andy Richards, CFO
FROM: Jeff Dingman, Deputy City Administrator
DATE: June 20, 2024
SUBJECT: Rescheduling discussion of the Fort Smith Animal Haven audit to July 16, 2024.

SUMMARY

At the June 11, 2024 meeting, the Board of Directors by concurrence moved discussion of the Fort Smith Animal Haven audit performed by third-party reviewer Baker Tilley to the June 25, 2024 study session.

The Baker Tilley representative for this project is not available on June 25 or July 9. Staff requests that the discussion be deferred to the July 16, 2024 study session.

City of Fort Smith Board of Directors - Special Meeting Called for July 11, 2024

Fort Smith, Arkansas sent this bulletin at 06/18/2024 09:45 PM CDT



Board of Directors Special Meeting Called for July 11, 2024

MEDIA NOTIFICATION June 18, 2024

At the City of Fort Smith Board of Directors June 18, 2024 regular meeting, Directors Jarred Rego, Lavon Morton, Kevin Settle, and Neal Martin called for a special meeting to be held at 6:00 p.m., Thursday, July 11, 2024 at the Blue Lion, 101 North 2nd Street, to consider the following item:

- *Ordinance to provide for rates for services of the drinking water system and superseding ordinances in conflict herewith ~ Morton/Good placed on agenda at the April 9, 2024 study session / Tabled at the April 16, 2024 regular meeting pending discussion at a special study session to include public comment / Morton/Good placed on May 21, 2024 regular meeting agenda at the May 7, 2024 regular meeting / Tabled at the May 21, 2024 regular meeting pending two (2) additional community input sessions / Placed on special meeting agenda at the June 18, 2024 regular meeting by concurrence of Directors Rego, Morton, Settle, and Martin ~ (Water Utilities)*

Once finalized, the agenda board packet for the special meeting will be uploaded to the City of Fort Smith website. When accomplished, Notice of same will be distributed in like manner.

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

POWERED BY

