

**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

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# AGENDA

## Fort Smith Board of Directors STUDY SESSION September 24, 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](https://fortsmithar.granicus.com/ViewPublisher.php?view_id=1)

### CALL TO ORDER

### PRESENTATIONS

- Presentation of Colors (*Fort Smith Fire Department Honor Guard*) & Pledge of Allegiance
- Recognize delegation from Cisterna, Italy to acknowledge the 40th Anniversary of the Sister Cities relationship

### ITEMS OF BUSINESS

1. Discussion regarding future use of City-owned property located at 1801 South 74th Street (*former Bost Building*) (*City Administrator*)
2. Discuss and determine goals of proposed new Utility Advisory Committee ~ *Directors C. Catsavis, Martin, Morton, and Rego called for a special study session to be held at an undetermined date to discuss this item at the July 30, 2024 study session / The Board concurred to move this item to a regularly scheduled study session at the August 20, 2024 regular meeting ~ (Water Utilities)* ♦ ●
3. Discuss potential Central Business Improvement District proposal regarding city hall project (*City Administrator*)
4. Review preliminary agenda for the October 8, 2024 regular meeting (*City Clerk*)

### ADJOURN



## MEMORANDUM

**TO:** Carl E. Geffken, City Administrator  
**FROM:** Jeff Dingman, Deputy City Administrator  
**DATE:** September 18, 2024  
**SUBJECT:** Possible uses of the former Bost building at 1801 South 74th St

### SUMMARY

The Board of Directors has asked for a study session discussion about the future of the former Bost school at 1801 South 74th Street. That discussion is on the September 24, 2024 study session agenda.

In 1966, the city deeded a portion of city-owned property to Bost School for Limited Children, Inc. to build a facility for the training and education of limited persons. The deed contained a provision that should Bost cease to operate such a facility on the property, the property ownership is to revert to the city. The Board of Directors approved accepting the reversion of ownership by Resolution No. R-50-24 on March 26, 2024. Bost closed their facility and vacated the premises as of the end of May, 2024 and the city filed a reversion deed to once again show that the city is the owner of the property.

Now, the next question is what is the city to do with the property? Even before Bost vacated, Methodist Village, whose property adjoins this property to the east, became aware of their pending departure and approached the city with an idea for using the two existing buildings on the property as a daycare facility that they would operate. Their staff visited the property along with their Board of Directors a couple of times and they have had the building evaluated by their contractor in order to understand what upgrades or improvements they might need to make. The construction and layout of the building, as it was built as a school for small children, is well suited to serve as a daycare facility. As it is perceived that more daycare facilities are needed in the community, Methodist Village contemplates partnering with another organization so that the daycare would serve the needs of the staff for both entities, as well as provide space for the community at large. They anticipate they would serve as many as 150 children. A formal proposal has not yet been received from Methodist Village, but informal discussion indicates that they would take several months for improvements and be open within a year.

A second option arose as the Board of Directors discusses ideas for an animal shelter building. Although the building was not constructed as an animal shelter, it perhaps could be modified for such a purpose, but the cost of any such modification has not been evaluated.

Recently, a third option has presented itself as a company called BlueSprig Pediatrics, Inc. has inquired about the building with a local realtor. BlueSprig specializes in therapies for children, especially ABA services for autistic children. The services they provide would be similar to services provided by the former occupant of the facility.

Staff has evaluated the building for any city-specific use, but the park setting near residential areas preclude really any uses the city might need, and the facility should be used in better service to the community. Mr. Walter Echols has been assisting the city with evaluating this property and determining its best future use.

Please contact Administration if there are questions regarding this agenda item.

#### **ATTACHMENTS**

1. [Bost Deed - 1966.pdf](#)
2. [R-50-24 Accepting Bost Building reversion.pdf](#)
3. [20240529 Special Warranty Deed signed by Bost.pdf](#)
4. [20240918 Bost Building Map.pdf](#)

D E E D

KNOW ALL MEN BY THESE PRESENTS:

That the City of Fort Smith, Sebastian County, Arkansas, for and in consideration of the premises set forth in a resolution of the Board of Commissioners of said City adopted the 2nd day of June, 1966, has granted, bargained and sold, and hereby grants, bargains, sells and conveys to Bost School For Limited Children, Inc., the following real estate situated in the Fort Smith District (formerly Greenwood District) of Sebastian County, Arkansas, to-wit:

A part of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Nineteen (19), Township Eight (8) North, Range Thirty-one (31) West, more particularly described as follows:

Commencing at the Southwest corner of said Northwest Quarter (NW $\frac{1}{4}$ ); thence North 300.0 feet along the West line of said Section Nineteen (19) for a point of beginning; thence North 428.50 feet along said West line; thence North 89° 20' East, 316.0 feet; thence South 324.0 feet; thence South 43° 26' West, 145.50 feet; thence South 89° 20' West, 215.96 feet to the point of beginning, containing 2.988 acres, more or less, except public roads,

with all the privileges, appurtenances and improvements thereupon situate and appertaining thereto.

TO HAVE AND TO HOLD the same unto the said Bost School For Limited Children, Inc., its successors and assigns; conditioned that this conveyance is made for the purpose of said Bost School For Limited Children, Inc. maintaining upon said property a facility for the training and education of limited persons, and should said Bost School For Limited Children, Inc., its successors or assigns cease to maintain the same for the aforesaid purposes, then said property conveyed and the fixtures thereunto belonging shall revert to the City of Fort Smith, Arkansas.

IN TESTIMONY WHEREOF, on this 2nd day of June, 1966, the City of Fort Smith, Arkansas, by and through its Mayor and City Clerk, has executed this deed and caused its corporate seal to be affixed hereto, pursuant to a resolution of the Board of Commissioners adopted the 2nd day of June, 1966.

ATTEST:

Carl R. Atkins  
Carl R. Atkins, City Clerk

CITY OF FORT SMITH

BY

James S. Yarbrough  
James S. Yarbrough, Mayor

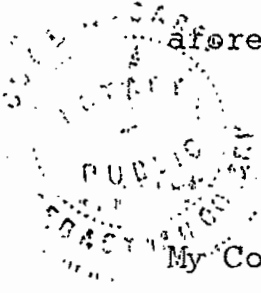
RECORDED  
INDEXED  
Ft. Smith, Ark.

ACKNOWLEDGMENT

STATE OF ARKANSAS     )  
                                  )  
COUNTY OF SEBASTIAN    )

On this 6 day of June, 1966, came James S. Yarbrough and Carl R. Atkins, who stated that they were the Mayor and City Clerk, respectively, of the City of Fort Smith, Arkansas, a municipal corporation, and were duly authorized in their respective capacities to execute the foregoing instrument for and in the name and behalf of the said municipal corporation, and further stated and acknowledged that they had so signed, executed and delivered the foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and seal as such Notary Public within and for the State and County aforesaid on the date first above written.



Gay L. McHenry  
Notary Public

My Commission Expires:  
My Commission Expires March 2, 1969

RESOLUTION NO. R-50-24

RESOLUTION APPROVING AND ACCEPTING REVERSION OF OWNERSHIP REGARDING THE PROPERTY AT 1801 SOUTH 74<sup>TH</sup> STREET IN FORT SMITH, ARKANSAS

WHEREAS, the City of Fort Smith previously owned the property at 1801 South 74<sup>th</sup> Street in Fort Smith, Arkansas; and

WHEREAS, said property was conveyed to Bost School for Limited Children, Inc., for the operation of a facility for the training and education of limited persons via resolution adopted June 2, 1966; and

WHEREAS, said conveyance of the property to Bost included a provision of reversion of the ownership to the City should the property cease to be used by Bost for said training and education facility; and

WHEREAS, Bost School for Limited Children, Inc., has informed the City that it will cease to operate the facility in 2024, and that the property should revert back to ownership by the City of Fort Smith.

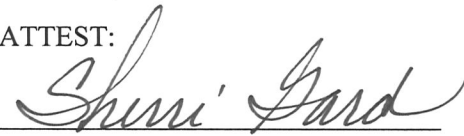
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS THAT:

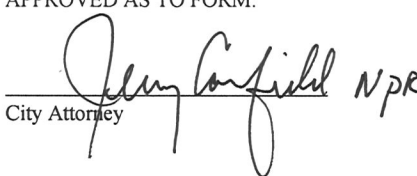
SECTION 1: The reversion provision of the 1966 conveyance is acknowledged, and the ownership of the property at 1801 South 74<sup>th</sup> Street is hereby accepted by the City of Fort Smith.

SECTION 2: The City Administrator and City Attorney are hereby authorized to execute any documents required to effect and record such reversion of ownership.

This Resolution adopted this 26<sup>th</sup> day of March, 2024.

  
\_\_\_\_\_  
Mayor

ATTEST:  
  
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
City Attorney

"I certify under penalty of false swearing that at least the legally correct amount of documentary stamps have been placed on this instrument."

\_\_\_\_\_  
Grantee or Grantee's Agent

\_\_\_\_\_  
Grantee's Address\*

### SPECIAL WARRANTY DEED

THAT the **BOST, INC. D/B/A BOST SCHOOL FOR LIMITED CHILDREN**, an Arkansas nonprofit corporation, GRANTOR, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, paid by the CITY OF FORT SMITH, ARKANSAS, an Arkansas municipal corporation, GRANTEE, the receipt of which is hereby acknowledged, does hereby grant, sell and convey unto the said GRANTEE, and unto its successors and assigns forever, the following described lands situated in the County of Sebastian, State of Arkansas:

A part of the Northwest Quarter (NW ¼) of Section Nineteen (19), Township Eight (8) North, Range Thirty-One (31) West, more particularly described as follows:

Commencing at the Southwest corner of said Northwest Quarter (NW ¼); thence North 300.0 feet along the West line of said Section Nineteen (19) for a point of beginning; thence North 428.50 feet along said West line; thence North 89°20' East, 316.0 feet; thence South 324.0 feet; thence South 48°26' West, 145.50 feet; thence South 89°20' West, 215.96 feet to the point of beginning, containing 2.988 acres, more or less, except public roads.

To have and to hold the same unto the said GRANTEE and unto its successors and assigns forever, with all tenements, appurtenances and hereditaments thereunto belonging.

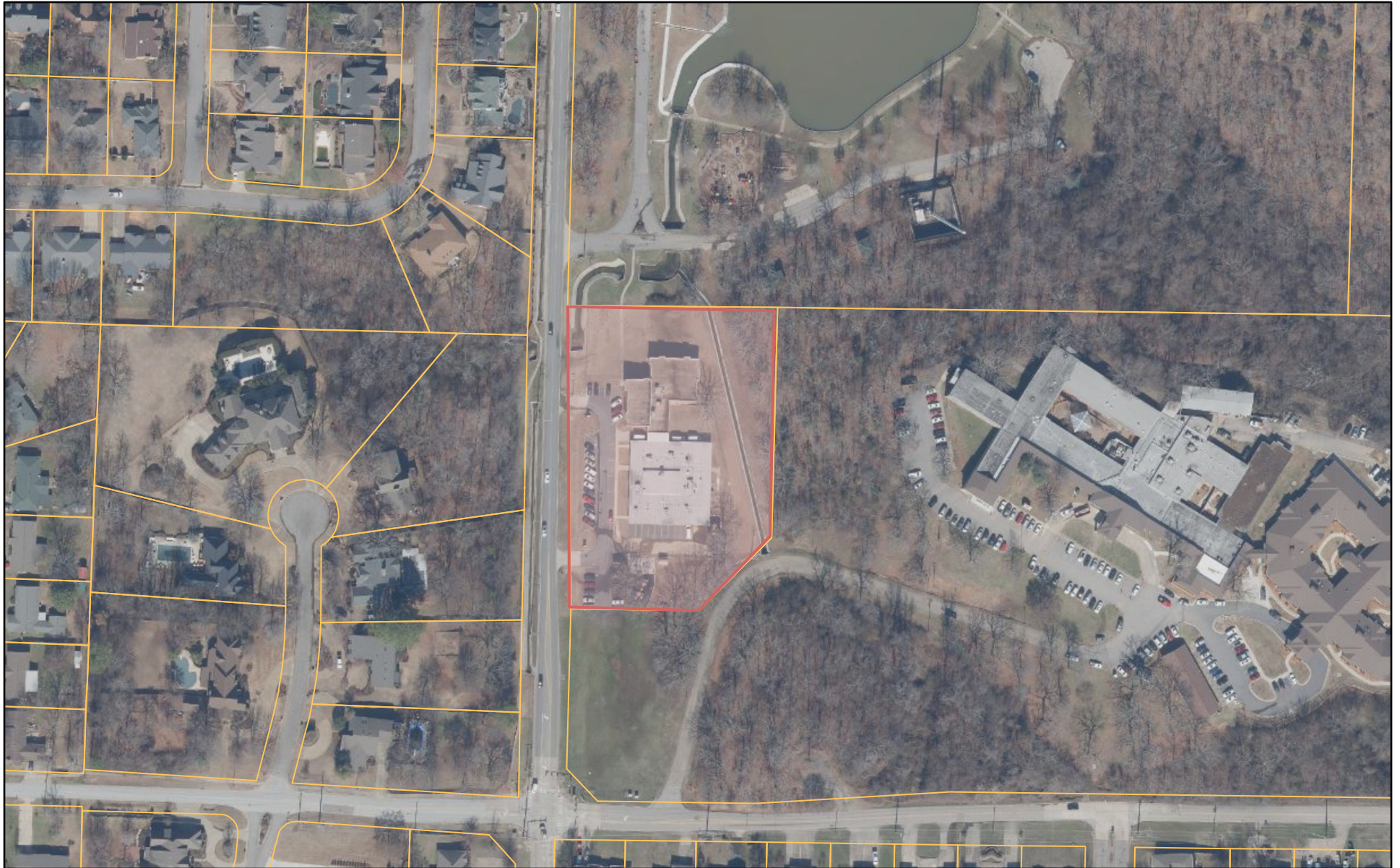
And GRANTOR does hereby covenant unto and with the said GRANTEE, and the successors or assigns of said GRANTEE, that it will forever warrant and defend the title to said land as hereby conveyed against the lawful claims of all persons claiming by, through or under it, but against none other.

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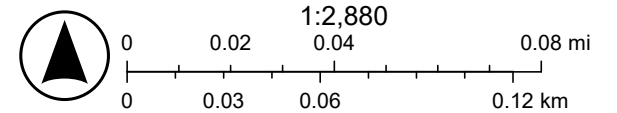
# 1801 S 74th St - Bost Building



9/19/2024, 4:30:54 PM

 Parcels

 Fort Smith City Limits



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# MEMORANDUM



**TO:** Carl E. Geffken, City Administrator

**CC:** Jeff Dingman, Deputy City Administrator; Maggie Rice, Deputy City Administrator

**FROM:** Lance A. McAvoy, Director of Water Utilities

**DATE:** September 19, 2024

**SUBJECT:** Discuss and Determine Goals of Proposed New Utility Advisory Committee

**SUMMARY**

Directors Christina Catsavis, Neal Martin, Lavon Morton, and Jarred Rego have asked for a discussion during a regularly scheduled Study Session be held to discuss and determine the potential goals for a proposed Water Utilities Advisory Committee. This discussion will be held at the September 24, 2024, Board Study Session.

Please contact me if you or any member of the Board of Directors have any questions or need additional information.



## MEMORANDUM

**TO:** Carl E. Geffken, City Administrator  
**FROM:** Jeff Dingman, Deputy City Administrator  
**DATE:** September 18, 2024  
**SUBJECT:** Potential CBID proposal related to City Hall project

### SUMMARY

The Fort Smith Central Business Improvement District (CBID) has existed since 1976, and one of the purposes that a CBID can fulfill is the facilitation of public building improvements within its district boundaries.

Regarding the recent discussions of a City Hall project, the CBID has expressed specific interest in the City of Fort Smith's Administrative Offices remaining in downtown Fort Smith. More specifically, the CBID may wish to facilitate the purchase of the Stephens Building at 623 Garrison Avenue, where the city has leased office space since the 1970's. Although renovation has been discussed, the CBID is currently focused only on the purchase of the building.

Mr. Bill Hanna, CBID Chair, has discussed a potential purchase of the building with the building's owner, who has expressed a willingness to sell the building. If the CBID is able to purchase the building, for which it would require a loan from a local bank, it would be for the express purpose of leasing it to the City of Fort Smith at a lease rate sufficient to pay the obligation on the loan over a length of time acceptable to the City. The lease would include a provision that the City could purchase the building from the CBID for a nominal amount when the CBID's loan is paid. This is similar to the current arrangement at the Blue Lion building, which the city will be able to buy for \$10 in or about April, 2027.

The CBID commissioned its legal counsel to draft a lease agreement with terms favorable to the City, which would be used as security for the loan. It is believed we will have the draft lease available for reference at the Board study session to discuss the item on September 24. Upon general consensus at that discussion, the CBID will take the necessary steps to finalize the agreement for Board approval, which it would then use to secure the loan to purchase the building.

At this time, the CBID anticipates facilitating only the purchase of the building, but not any contemplated renovation of the building. There is vacant office space on the 1st, 2nd, and 6th floors, as well as in the basement, that could be immediately usable for city staff to expand from its currently cramped spaces.

A complete remodel of all spaces in 623 Garrison would provide for the efficient use of the space and provide for the needs of all departments in the building for many (many) years, but is estimated to cost \$14.6 million. That kind of project could only be accomplished through a long-term financing mechanism, as the City cannot issue financing for longer than five years without a specific revenue source, such as a utility rate or a sales tax authorized by the voters.

Administration does recommend considering conversion of all the first floor into the city's public-facing customer service areas to better serve the public sooner rather than later. In addition to water services and customer billing, several departments get regular visits from the public for items such as development review, plan review, building permits, business licenses, job applications and general inquiries. We have contemplated a public service area that could accommodate all of these needs. This renovation of the first floor only could also be accommodated in the lease arrangement with the CBID if suitable terms could be agreed upon, or it could be done separately by the city with appropriated funds and not affect the lease at all.

There are many facets to this discussion, and members of the CBID will attend the Study Session on September 24 to discuss the matter with the Board. If it is completed in time, the CBID intends to share the framework of a lease that could be used to facilitate this purchase.

Please contact Administration if you have questions regarding this agenda item.