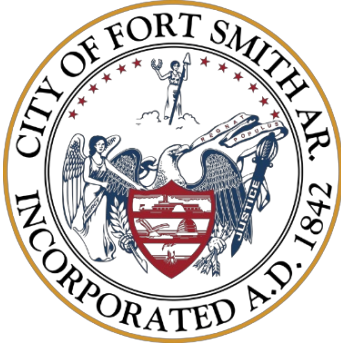


**MAYOR**

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

Fort Smith Board of Directors

STUDY SESSION

July 14, 2026 ~ 6:00 p.m.

Blue Lion

101 North 2nd Street

Fort Smith, Arkansas

THIS MEETING IS BEING TELECAST LIVE AT THE FOLLOWING LINK:

<http://www.fortmithar.gov/watch>

CALL TO ORDER

ITEMS OF BUSINESS

1. Discussion of city interest in cemetery properties owned and operated by Fort Smith Cemeteries, Inc. ~ *Rego/Good placed on August 19, 2025 regular meeting agenda at the July 15, 2025 study session; TABLED pending study session discussion at the August 19, 2025 regular meeting; Study session discussion continued to a later date at the September 23, 2025 study session; Discussed at the December 16, 2025 special study session whereby the Board directed Administration to facilitate conversation between Fort Smith Cemeteries, Inc. and potential buyer, Broylman Memorial Group; G. Catsavis/Rego placed on future study session agenda at the June 9, 2026 study session ~ (City Administrator)*
2. Discuss establishment of municipal fine for entities/municipalities transporting un-housed people to Fort Smith ~ *Martin/Settle placed on future study session agenda at the May 19, 2026 regular meeting ~ (City Administrator)*
3. Review preliminary agenda for the July 21, 2026 regular meeting *(City Clerk)*

ADJOURN



MEMORANDUM

TO: Honorable Mayor and Member of the Board of Directors
FROM: Jeff Dingman, Acting City Administrator
DATE: July 9, 2026
SUBJECT: City Interest in properties owned & operated by Fort Smith Cemeteries, Inc.

SUMMARY

The Roselawn, Holy Cross and Forest Park cemeteries are owned and operated by the private non-profit organization Fort Smith Cemeteries, Inc. Based on public feedback regarding maintenance and general financial conditions of the properties, the Board of Directors in the past has discussed the potential for the city to acquire ownership and assume operation and maintenance responsibility for the properties, just as it does with the city-owned Oak Cemetery.

In recent past years, Neighborhood Services has conducted code enforcement activities based on complaints of high grass and unkempt vegetation on the properties, leading to contracting for abatement action and the levying of liens against the properties. Currently for 2026, while Neighborhood Services inspectors periodically visit the properties and leave courtesy warnings, the property owner does have its own maintenance personnel doing basic mowing and vegetation management in order to comply with the minimal standards of the city's property maintenance code. While there are open inspection cases based on complaints, the ownership continues to comply with code requirements and the city has not had to contract for abatement action in 2026.

The Board last discussed this item in December, 2025 when a private cemetery management company expressed interest in acquiring and operating the properties. While this would be a private transaction outside the scope of the city's involvement, the Board heard a presentation from the potential interested party at a special study session on December 16, 2025 in order to facilitate discussion. Afterwards, it was relayed to the city that Fort Smith Cemeteries, Inc. did not have interest in selling to the private company and intended to continue the nonprofits ownership and operation of the cemeteries.

At the June 9 regular meeting Board members asked that this item be placed on a study session agenda for discussion. That discussion is included on the July 14 study session agenda. Representatives from Fort Smith Cemeteries, Inc. intend to be in attendance and have a presentation related to their activity on the property.



MEMORANDUM

TO: Honorable Mayor and Members of the Board of Directors
CC: Maggie Rice, Deputy City Administrator
FROM: Jeff Dingman, Acting City Administrator
DATE: July 9, 2026
SUBJECT: Municipal fines for transporting unhoused people to Fort Smith

SUMMARY

There has been community speculation that unhoused individuals from other parts of Arkansas or from other states have been transported to Fort Smith specifically for the purpose of accessing support services provided by the various providers in Fort Smith. At the May 19 regular meeting, Board members requested a study session discussion regarding assessment of a fine against any person or entity transporting unhoused persons to Fort Smith.

Staff found three cities that have adopted similar ordinances addressing this issue, all of which have been enacted since 2025. Enclosed is a table summarizing those ordinances and the ordinances themselves are also attached. . Each ordinance imposes penalties on persons or entities providing transportation for the relocation of transient individuals from other jurisdictions to their jurisdiction. The penalties range from civil fines to criminal misdemeanors. To date, none of the jurisdictions have reported any enforcement actions under their adopted ordinance.

ATTACHMENTS

1. [20260714 Unhoused Ordinances.pdf](#)

	St. Joseph, MO	Fort Wayne, IN	Joplin, MO
Ordinance	§ 20-194 “Unauthorized Relocation of Transient and Unhoused Individuals”	Chapter 104 “Relocation of Transient Individuals Prohibited”	§ 82-213 “Displacement of Transient Individuals Prohibited”
Primary purpose	Prevent outside parties from relocating unhoused individuals into St. Joseph.	Preserve local homelessness resources and prohibit relocation from other jurisdictions.	Prevent “unsanctioned displacement” of non-local transient individuals into Joplin.
Scope / jurisdiction	Applies to persons/entities outside city limits transporting individuals into St. Joseph.	Applies to persons/entities transporting individuals from another jurisdiction into Fort Wayne.	Applies to persons/entities outside city limits transporting individuals into Joplin.
Prohibited conduct	Knowingly causing relocation of an unhoused/transient person into the city, directly or indirectly, including one-way transport and drop-off.	Knowingly transporting or causing transport of a transient homeless individual into the city via one-way transport and drop-off.	Knowingly causing displacement of a non-local transient individual into the city via one-way transport and drop-off.
Where drop-off is prohibited	Public property or private property accessible to the public.	Public property or private property accessible to the public.	Public property or private property accessible to the public.
Who qualifies as “unhoused/transient”?	Applies to a person who lacks a fixed, regular, and adequate night-time residence, including a person whose primary night-time residence is a public or private place not meant for habitation, who lives in a publicly or privately operated shelter designated to provide temporary living arrangements, or who is exiting any jail, institution, or health care facility where they have resided for 365 days or less and did not reside in St. Joseph immediately before entering that institution.	Applies to a person who lacks a fixed, regular, and adequate nighttime residence, including a person whose primary nighttime residence is a public or private place not meant for habitation, who lives in a publicly or privately operated shelter designated to provide temporary living arrangements, or who is exiting any correctional facility, institution, or health care facility where they have resided for 365 days or less and resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.	Applies to a person who lacks a fixed, regular, and adequate nighttime residence, including a person whose primary nighttime residence is a public or private place not meant for habitation, who lives in a publicly or privately operated shelter designated to provide temporary living arrangements, or who is exiting any jail, institution, or health care facility where they have resided for 365 days or less and resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.
Authorized exceptions	Permits transport for jail booking, emergency medical treatment, verified shelter/temporary or permanent housing placement, verified health care or governmental/nonprofit social service appointments, and scheduled court hearings.	Jail booking; verified shelter/housing placement; verified social-service appointment; verified court hearing. No explicit emergency-medical exception listed.	Jail booking; emergency medical transport; verified shelter/housing placement; verified social-service appointment; verified court hearing.
Verification requirement	Housing placement must already be accepted by the receiving facility.	Officer/agent/employee must independently verify acceptance by receiving facility.	Officer/agent/employee must independently verify acceptance by receiving facility.
Penalty type	Misdemeanor	Ordinance fine	Misdemeanor
Fine amount	Punishable under § 1-14 (amount not stated in ordinance text provided).	Up to \$2,500, plus costs of prosecution; each day is a separate offense.	Punishable under § 1-5 (amount not stated in ordinance text provided).

BILL # 44-26

AN ORDINANCE SPONSORED BY COUNCILMEMBER ESLINGER AMENDING ARTICLE V "OFFENSES AGAINST PUBLIC PEACE AND ORDER" OF CHAPTER 20 "OFFENSES AND MISCELLANEOUS PROVISIONS" OF THE CODE OF ORDINANCES TO ADD A NEW SECTION 20-194 TITLED "UNAUTHORIZED RELOCATION OF TRANSIENT AND UNHOUSED INDIVIDUALS."

- WHEREAS,** the City of St. Joseph is aware of other cities and communities addressing their own homelessness and transient population issues by relocating such unhoused individuals to other cities and communities, typically by providing such individuals with one-way bus tickets; and
- WHEREAS,** it is the desire of the City Council to amend the City's criminal code to address the unauthorized and unwelcome relocation of transient and unhoused individuals to the City of St. Joseph; and
- WHEREAS,** displaced transient and unhoused individuals tend to negatively affect the health and safety of the community and disrupt the public peace and order through increases in crime, drug activity, and pollution, thereby straining public resources; and
- WHEREAS,** the City is amending the Code of Ordinances to make it unlawful for other communities and/or individuals outside of St. Joseph to relocate unhoused and/or transient individuals to St. Joseph without the City's consent or agreement.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ST. JOSEPH, MISSOURI, AS FOLLOWS:

SECTION 1. That Chapter 20 "Offenses and Miscellaneous Provisions" Article V "Offenses Against Public Peace and Order" of the Code of Ordinance of the City of St. Joseph, Missouri, be, and hereby is, amended by enacting a new Section 20-194 to be entitled, numbered and read as follows:

Sec. 20-194. Unauthorized relocation of transient and unhoused individuals.

(a) It shall be unlawful for any person, entity, or agent, whether government official or private party, from outside the City limits to knowingly cause the relocation of any transient or unhoused individual from outside of St. Joseph, to St. Joseph either directly or indirectly, by, for example, providing one-way transport and drop off of such individual to public property, or private property that is accessible to the public, within the City of St. Joseph, when the person being transported and dropped off lacks a fixed, regular, and adequate night-time residence.

(b) A person "lacks a fixed, regular, and adequate night-time residence" within the meaning of subsection (a) when that person:

1. Has a primary night-time residence that is a public or private place not meant for habitation;
2. Lives in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, and local government programs); or
3. Is exiting any jail, institution, or health care facility where they have resided for 365 days or less and who did not reside in St. Joseph immediately before

entering that institution.

(c) The prohibition contained in subsection (a) shall not be interpreted to prohibit the following authorized activities:

1. Transporting a person to be booked into a jail;
2. Transporting a person to be treated at a hospital or other medical facility under emergency circumstances;
3. Transporting a person to reside at a shelter, temporary housing facility, or permanent housing facility, when it can be verified that the individual being transported has already been accepted to reside at the shelter or facility;
4. Transporting a person to attend a verified appointment with a health care provider, governmental or nonprofit social service provider; or
5. Transporting a person to attend a scheduled court hearing.

(d) Penalty. A violation of this section is a misdemeanor punishable under Section 1-14.

SECTION 2. That any ordinances, or parts of ordinances in conflict with this ordinance be, and hereby are, repealed.

SECTION 3. That if any provision of this ordinance is found to be invalid, such provision shall be considered to be severable from the other parts of this ordinance and shall not affect the validity of the remaining parts of this ordinance.

SECTION 4. That this Ordinance shall be in full force and effect thirty days after date of passage.

Approved as to form:

_____ City Attorney	Passed: _____, 20____
Attest: _____ City Clerk	_____ Mayor

CHAPTER 104: RELOCATION OF TRANSIENT INDIVIDUALS PROHIBITED

Section

104.01 Intent

104.02 Relocation of transient homeless individuals prohibited

104.03 Exceptions

104.99 Penalties

§ 104.01 INTENT.

The administration finds it to be in the best interests of the residents of the city to preserve the city's limited homelessness-related resources for the benefit of local residents experiencing homelessness and to prohibit the relocation of transient homeless individuals from other jurisdictions to the city, in order to decrease the negative impacts on the health and safety of the community and resulting strains on public resources and public safety.

(Ord. G-10-26, passed 3-24-26)

§ 104.02 RELOCATION OF TRANSIENT HOMELESS INDIVIDUALS PROHIBITED.

(A) No person or entity or their agent, including government officials and private individuals shall knowingly transport and relocate or cause the transporting and relocation of any transient, homeless individual residing in another jurisdiction to the city, either directly or indirectly, by providing one-way transport and drop off of such individual on public property, or private property that is accessible to the public, within the city, if the person so transported lacks a fixed, regular, and adequate nighttime residence.

(B) A person "lacks a fixed, regular, and adequate nighttime residence" within the meaning of division (A) when that person:

- (1) Has a primary nighttime residence that is a public or private place not meant for habitation;
- (2) Lives in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, and local government programs); or
- (3) Is exiting any correctional facility, institution, or health care facility, where they have resided for 365 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.

(Ord. G-10-26, passed 3-24-26) Penalty, see § 104.99

§ 104.03 EXCEPTIONS.

(A) The prohibition contained in division (A) shall not be interpreted to prohibit the following authorized activities:

- (1) Transporting a person to be booked into a jail;
- (2) Transporting a person to reside at a shelter, temporary housing, or permanent housing, when the officer, agent, or employee has independently verified that the individual being transported has already been accepted to reside at the facility;
- (4) Transporting a person to attend a verified appointment with a health care provider, governmental or nonprofit social service provided; or
- (5) Transporting a person to attend a verified court hearing.

(Ord. G-10-26, passed 3-24-26)

§ 104.99 PENALTIES.

Whoever violates any provision of this chapter shall, upon conviction thereof, be adjudged to pay a fine of up to \$2,500, including costs of prosecution. Each day a violation of this chapter continues constitutes a separate offense.

(Ord. G-10-26, passed 3-24-26)

COUNCIL BILL NO.

2025-012

ORDINANCE NO.

AN ORDINANCE amending the criminal code of the City of Joplin Chapter 82 – Offenses and Miscellaneous Provisions, Article V. - Offenses Against Health and Safety, by enacting a new section prohibiting the displacement of transient individuals; and establishing a time for this ordinance to become effective.

WHEREAS, it is the desire of the City Council to amend the criminal code to address the unsanctioned displacement of transient individuals within the City of Joplin; and

WHEREAS, displaced transient individuals negatively affect the health and safety of the community through increases in crime, drug activity, and pollution; thereby straining public resources; and

WHEREAS, in order to preserve the already limited homelessness-related resources for the benefit of local residents experiencing homelessness; and

WHEREAS, finding that it is in the best interest of the City of Joplin to impose a penalty against persons causing the displacement of additional transient individuals within the city; and

WHEREAS, it is the desire of the City Council to address local residents experiencing homeless, while protecting such efforts from irresponsible individuals, organizations and governmental bodies contributing to the homelessness crisis by displacing transient individuals within the City of Joplin.

BE IT ORDAINED, BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That Chapter 82 – Offenses and Miscellaneous Provisions, Article V. - Offenses Against Health and Safety, enact the following section:

“Sec. 82-213. Displacement of Transient Individuals Prohibited.

(a) No person, entity, or agent, whether government official or private party, from outside the city limits, shall knowingly cause the displacement of any non-local transient individual within the city of Joplin, either directly or indirectly, by providing one-way transport and drop off of said individual on public property, or private property that is accessible to the public, within the city of Joplin, when the person being transported and dropped off lacks a fixed, regular, and adequate nighttime residence.

(b) A person “lacks a fixed, regular, and adequate nighttime residence” within the meaning of subsection (a) when that person:

(1) Has a primary nighttime residence that is a public or private place not meant for habitation; or

(2) Lives in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, and local government programs); or

(3) Is exiting any jail, institution, or health care facility, where they have resided for 365 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.

(c) The prohibition contained in subsection (a) shall not be interpreted to prohibit the following authorized activities:

(1) Transporting a person to be booked into a jail; or

(2) Transporting a person to be treated at a hospital or other medical facility under emergency circumstances; or

(3) Transporting a person to reside at a shelter, temporary housing, or permanent housing, when the officer, agent, or employee has independently verified that the individual being transported has already been accepted to reside at the facility; or

(4) Transporting a person to attend a verified appointment with a health care provider, governmental or nonprofit social service provider; or

(5) Transporting a person to attend a verified court hearing.

(d) Penalty. A violation of this section is a misdemeanor punishable under Section 1-5.

Section 2. That this ordinance shall be in full force and effect twenty days (20) after its passage.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this ____ day of _____, 2025, by a vote of _____.

Keenan T. Cortez, Sr., Mayor

ATTEST:

Holly Nagy, City Clerk

APPROVED AS TO FORM:

Peter C. Edwards, City Attorney