

REGULAR CITY COUNCIL MEETING
MAY 26, 2020

The Sikeston City Council meeting of May 26, 2020 was called to order at 5:00 p.m., via Zoom Video Conferencing and Facebook Live. Present at the meeting via video were: Mayor Steven Burch and Councilmembers Brian Self, Ryan Merideth, Brandon Sparks and Karen Evans. Councilmembers Gerald Settles and Onethia Williams were absent. Staff via Zoom Video Conferencing were: City Manager Jonathan Douglass, City Counselor Tabatha Thurman, City Clerk Carroll Couch, City Treasurer Karen Bailey, Deputy City Clerk Rhonda Council, Director of Public Works Jay Lancaster, Director of Public Safety James McMillen and Community Development Director Lorenzo Ware.

ITEMS OF BUSINESS

Resolution 20-05-01, CDBG Intent to Seek Funding

A Resolution of the City of Sikeston, Missouri, stating its intent to seek funding through the "Community Development Block Grant" Program and authorizing the Mayor to pursue activities in an attempt to secure said funding.

WHEREAS, Title I of the Housing and Community Development Act of 1974 does state as its primary objective "the Development of viable urban communities, by providing decent housing, suitable living environment and expanding economic opportunities principally for persons of low and moderate income"; and

WHEREAS, Title I does offer to communities the opportunity of monetary assistance in accomplishing its stated primary objectives; and

WHEREAS, The Missouri Department of Economic Development is designated to award Community Development Block Grant funding under Title I; and

WHEREAS, The City does have areas of need which, may be addressed through the Community Development Block Grant program, and in particular the Regional Workforce Development Approach Project.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Sikeston, Missouri, that it desires to participate with the Missouri Department of Economic Development in the improvement of our community under the activities authorized pursuant to the Housing and Community Development Act of 1974.

THEREFORE, BE IT FURTHER RESOLVED that the Mayor of the City of Sikeston, Missouri, is hereby authorized to prepare and submit documents which are necessary in applying for funding and establishing an administrative organization to implement activities pursuant to the aforementioned act.

THEREFORE, BE IT FURTHER RESOLVED, that the applicant will dedicate \$ - 0- of local cash funds and \$ -0- of in-kind materials or labor to be used in this project.

Councilman Sparks moved to adopt Resolution 20-05-01 to authorize the City to seek CDBG funding in the amount of \$500,000 on behalf of the Sikeston Area Chamber of Commerce and Economic Development Corporation for Workforce Training Initiative Program. Committing funds to this program will be Sikeston R-6 School District and New Madrid County R-1 School District; not the City. The motion was seconded by Councilman Merideth and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Absent, Evans Aye, Williams Absent, and Burch Aye, thereby being passed.

Resolution 20-05-02, Adopting Antidisplacement and Relocation Plan

A Resolution of the City of Sikeston, Missouri, establishing a Residential Antidisplacement and Relocation Assistance Plan compliant with the Housing and Community Development Act of 1974.

WHEREAS, A residential antidisplacement and relocation assistance plan is required for applicants for funding under the Housing and Community Development Act of 1974.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Sikeston, Missouri, that the following plan is adopted:

Section 1. Applicability.

- A. This plan shall apply to projects seeking funding under the Housing and Community Development Act of 1974, including Housing and Urban Development (HUD) and Community Development Block Grant (CDBG) programs.

Section 2. Minimize Displacement. The City or development partner will minimize displacement of persons from their homes as a result of CDBG or HUD assisted activities by doing the following:

- A. Where feasible, giving priority to rehabilitation of housing, as opposed to demolition.
- B. Targeting only those properties deemed essential to the need or success of the project.

Section 3. Relocation Assistance to Displaced Person. The City or development partner will provide relocation assistance as follows for low-income persons (as defined by CDBG or HUD regulations) who, as a result of CDBG or HUD assisted programs, move permanently as a direct result of the demolition of any leased dwelling unit or the conversion of a leased low-income dwelling unit:

- A. Advisory services – A displaced person will be advised of his or her rights under the Fair Housing Act.
- B. Moving expenses – Payment for moving expenses at levels described in the Uniform Relocation Assistance and Real Property Acquisitions Act (URA).
- C. Security Deposits and Credit Checks – The reasonable and necessary cost of any security deposit required to rent the replacement dwelling unit, and for credit checks required to rent or purchase the replacement dwelling unit.
- D. Replacement Housing Assistance – Displaced persons are eligible to receive rental housing assistance equal to 60 times the amount necessary to reduce the monthly rental and estimated average monthly cost of utilities for a replacement dwelling (comparable replacement dwelling or decent, safe, and sanitary replacement dwelling to which the person relocates, whichever costs less) to the “Total Tenant Payment” as determined by 24 CFR 5.

Section 4. One-for-One Replacement of Lower-Income Dwelling Units. The City or development partner will replace all occupied and vacant occupiable lower-income dwelling units demolished or converted to a use other than lower-income housing in connection to CDBG or HUD assisted programs as follows:

- A. To the extent feasible, replacement units will be located within the same neighborhood as the units demolished or converted.
- B. Replacement units will be sufficient in number and size to house no fewer than the number of occupants who could have been housed in the units that are demolished or converted. The number of occupants who could have been housed in units shall be determined in accordance with applicable local housing occupancy codes.
- C. The replacement units must be provided in standard condition.
- D. Replacement lower-income dwelling units may include units that have been raised to standard from substandard condition if:
 - a. No person was displaced from the substandard unit; and
 - b. The substandard unit was vacant for at least 3 months before execution of the agreement between the City or development partner and the property owner.
- E. The replacement units will be required to be designed by the City or development partner to remain lower-income dwelling units for at least 10 years from the date of initial occupancy.

Section 5. Replacement not Required Based on Unit Availability. The project development partner may submit a request to the City Council for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area. The City, upon receipt of such submission, will promptly schedule a public hearing and publish notice on the City's website informing interested persons that they have 30 days from its posting to comment and provide additional information to the City Council.

Section 6. Public Notices. Before entering into a contract (Award Letter for CDBG and HOME Local Program Administrators, Funding Commitment Letter for HOME Capital Development) committing the City to provide funds for a CDBG and/or HOME project that will directly result in demolition or conversion of lower-income dwelling units, the City will make public its requirements on its website and through a public information session:

- A. A description of the proposed assisted project.
- B. The address, number of bedrooms, and location on a map of lower-income dwelling units that will be demolished or converted to a use other than as lower-income dwelling units as a result of an assisted project.
- C. A time schedule for the commencement and completion of the demolition or conversion.
- D. To the extent known, the address, number of lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided.

- E. The source of funding and time schedule for the provision of the replacement dwelling units.
- F. The basis for concluding that each replacement dwelling unit is designated to remain a lower income dwelling unit for at least 10 years from the date of initial occupancy.
- G. Information demonstrating that any proposed replacement of lower-income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the HUD approved Consolidated Plan and 24 CFR 42.375(b).

Section 7. Appeals. Any displaced person who disagrees with a development partner's determination of eligibility for benefits or the amount of relocation assistance for which the person is eligible may file a written appeal to the City Council. Appeals may be directed to City Manager, 105 E Center St, Sikeston, MO 63801. Further appeal, in writing, may be submitted to the HUD field office.

Adoption of this resolution is a formality to meet CDBG eligibility requirements to apply for funding for the Workforce Training Initiative Program. The plan sets forth assistance that the City would offer displaced residents in limited circumstances. This funding application does NOT involve any activities that would displace any residents.

Councilman Self moved to adopt Resolution 20-05-02, the Antidisplacement and Relocation Plan. Councilman Sparks seconded the motion and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Absent, Evans Aye,
Williams Absent, and Burch Aye, thereby being passed.

Resolution 20-05-03, Excessive Force Resolution

A Resolution of the City of Sikeston, Missouri, establishing rules and regulations regarding the use of excessive force during non-violent civil rights demonstrations, including physically barring access to a facility or location which is the subject of such demonstration.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Sikeston, Missouri, that the City hereby adopts and will enforce this policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations. The City also prohibits the physical barring of any entrance or exit to such a facility, or portion of a facility, which is normally open to unrestricted access by the public.

As part of the application process to meet CDBG eligibility requirements, adoption of this resolution is required.

Councilman Self moved to adopt Excessive Force Resolution 20-05-03. The motion was seconded by Councilman Merideth and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Absent, Evans Aye,
Williams Absent, and Burch Aye, thereby being passed.

Approval of Access Easements for Bootheel Grain Facilities, LLC

Greg Copeland has purchased the Cargill property and would like to construct driveways from Malone Avenue into the property across the railroad right-of-way. The Easement and Right-of-Way Agreement would grant two easements for concrete driveways across the railroad right-of-way. The easement also reserves space for future development of the rail trail.

Councilman Sparks moved to approve two access easements for construction of concrete driveways from Malone Avenue onto the property across the railroad right-of-way for Bootheel Grain Facilities, LLC. The motion was seconded by Councilman Merideth and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Absent, Evans Aye, Williams Absent, and Burch Aye, thereby being passed.

ADJOURNMENT

There being no further business before the City Council, Councilman Self moved to adjourn. The motion was seconded by Councilman Sparks and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Absent, Evans Aye, Williams Absent, and Burch Aye, thereby being passed.

APPROVED:

STEVEN BURCH, MAYOR

ATTEST:

RHONDA COUNCIL, CITY CLERK

SEAL: