BE IT REMEMBERED THAT THERE WAS BEGUN AND HELD THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI ON APRIL 16, 1996 AT 7:00 P.M. IN THE BOARD ROOM OF SAID CITY.

THOSE PRESENT

MAYOR JACK GAY

THOMAS W TYNER

CITY ATTORNEY

ALDERMEN

RAYMOND C. BRANDLE WILLIAM H. CAMPBELL REUBEN CLEPPER LEROY SCOTT SHELBY TIMS

OTHERS

STAN AARON MARTHA NUNNELLY CRAIG HIGH HUGH DRAUGHN CLIFTON CREEL, SR. CLIFTON CREEL, JR. KENNETH CLARK AND MANY OTHERS

THE MAYOR DECLARED A QUORUM PRESENT AND DECLARED THE CITY COUNCIL IN SESSION.

THE INVOCATION WAS OFFERED BY RAYMOND C. BRANDLE

THE PLEDGE OF ALLEGIANCE WAS RECITED.

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING AMENDMENTS TO THE AGENDA: х.

GENERAL BUSINESS

8. CONTRACT WITH BLUE CROSS & BLUE SHIELD FOR HEALTH INSURANCE

THEREUPON, ALDERMAN TIMS MADE A MOTION TO ADOPT THE AGENDA WITH THE FOREGOING AMENDMENTS. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE ALDERMAN WILLIAM H. CAMPBELL ALDERMAN REUBEN CLEPPER ALDERMAN LEROY SCOTT ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, ALDERMAN CAMPBELL MADE A MOTION TO ACCEPT THE MINUTES OF THE REGULAR MEETING OF APRIL 2, 1996 AS WRITTEN. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE ALDERMAN WILLIAM H. CAMPBELL ALDERMAN REUBEN CLEPPER ALDERMAN LEROY SCOTT ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY CALLED FOR PUBLIC COMMENT.

THEREUPON, STAN AARON COMMENDED THE MEMBERS OF THE PETAL FIRE DEPARTMENT ON THE EXCELLENT JOB THEY DID WHILE BURNING THE HOUSE ON DENHAM STREET.

THEREUPON, MARTHA NUNNELLY STATED THAT THE PLANNING COMMISSION MET AND ARE NOT IN FAVOR OF CHANGING THE ZONING FOR MANUFACTURED HOMES SO THEREFORE SHE WOULD LIKE FOR THE BOARD TO RECONSIDER REZONING HER PROPERTY FOR A MANUFACTURED HOME BECAUSE OF A HARDSHIP.

WHEREAS, CRAIG HIGH, REPRESENTATIVE OF NEEL-SCHAFFER, INC., STATED THAT, AFTER REVIEWING THE AREAS OF THE CITY OF PETAL THAT MIGHT QUALIFY FOR THE 1996 CDBG HOUSING ACQUISITION AND RELOCATION PROJECT, HE FEELS THAT VAN SLYKE DRIVE IS THE BEST AREA TO TARGET WITH THIS PROJECT. MR. HIGH STATED THAT THIS IS NOT FINAL THAT THERE WILL BE A PUBLIC HEARING AND NOTHING WILL BE DECIDED UNTIL AFTER THE PUBLIC HEARING.

WHEREAS, HUGH DRAUGHN STATED THAT HE HAS A PROBLEM WITH HIS NEIGHBOR'S GARBAGE, CHICKENS AND DOGS.

THEREUPON, MAYOR GAY REQUESTED THAT MR. DRAUGHN GIVE THE INFORMATION TO THE CITY ZONING AND BUILDING INSPECTOR.

WHEREAS, CLIFTON CREEL, JR., KENNETH CLARK, PAT CREEL, MELISSA CREEL, AND CLIFTON CREEL, SR. ALL REQUESTED THAT THE BOARD RECONSIDER A AMENDING THE ZONING ORDINANCE TO ALLOW TRAILERS IN CERTAIN AREAS OF THE CITY.

WHEREAS, THE HOUR OF 7:00 P.M. HAVING ARRIVED THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL PROCEEDED TO PUBLICLY OPEN AND READ THE PROPOSALS FOR THE PLANNING AND ADMINISTRATION OF THE 1996 CDBG/HUD APPLICATION.

SEE EXHIBIT "A"

NEEL-SCHAFFER, INC. P O BOX 982 HATTIESBURG, MS. 39403-0982

THEREUPON, MAYOR GAY STATED THAT THE BID WILL BE CONSIDERED AND RANKED LATER ON THE AGENDA.

WHEREAS, MAYOR GAY PRESENTED THE CONTRACT BETWEEN THE CITY OF PETAL AND WORK WELL FOR THE EMPLOYEE ASSISTANCE PROGRAM.

SEE EXHIBIT "B"

CONTRACT

THEREUPON, ALDERMAN BRANDLE MADE A MOTION THAT THE CITY OF PETAL ENTER INTO THE CONTRACT FOR THE EMPLOYEE ASSISTANCE PROGRAM WITH WORK WELL. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE ALDERMAN WILLIAM H. CAMPBELL ALDERMAN REUBEN CLEPPER ALDERMAN LEROY SCOTT ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE CLOSE OUT PACKAGE FOR THE 1994 CDBG PROJECT.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE CLOSE OUT PACKAGE FOR THE 1994 CDBG PROJECT. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE ALDERMAN WILLIAM H. CAMPBELL ALDERMAN REUBEN CLEPPER ALDERMAN LEROY SCOTT ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE ANTI-DISPLACEMENT PLAN FOR THE CITY'S APPLICATION FOR THE 1996 CDBG PROGRAM.

SEE EXHIBIT "C"

ANTI-DISPLACEMENT PLAN

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO APPROVE THE ANTI-DISPLACEMENT PLAN. ALDERMAN CAMPBELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE ALDERMAN WILLIAM H. CAMPBELL ALDERMAN REUBEN CLEPPER ALDERMAN LEROY SCOTT ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE AFFIRMATIVE MARKETING POLICY FOR THE 1996 CDBG PROGRAM.

SEE EXHIBIT "D"

AFFIRMATIVE MARKETING POLICY

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO APPROVE THE AFFIRMATIVE MARKETING POLICY. ALDERMAN CAMPBELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE ALDERMAN WILLIAM H. CAMPBELL ALDERMAN REUBEN CLEPPER ALDERMAN LEROY SCOTT ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE TENANT ASSISTANCE POLICY FOR THE 1996 CDBG PROGRAM.

SEE EXHIBIT "E"

TENANT ASSISTANCE POLICY

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO APPROVE THE TENANT ASSISTANCE POLICY. ALDERMAN CAMPBELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE ALDERMAN WILLIAM H. CAMPBELL ALDERMAN REUBEN CLEPPER ALDERMAN LEROY SCOTT ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE 504 ASSESSMENT RESOLUTION FOR THE 1996 CDBG PROJECT.

SEE EXHIBIT "F"

504 ASSESSMENT RESOLUTION

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADOPT THE 504 ASSESSMENT RESOLUTION. ALDERMAN CAMPBELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE ALDERMAN WILLIAM H. CAMPBELL ALDERMAN REUBEN CLEPPER ALDERMAN LEROY SCOTT ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR THE 1996 ACQUISITION/RELOCATION PROGRAM THROUGH THE CDBG.

SEE EXHIBIT "G"

RESOLUTION

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE STATE OF MISSISSIPPI, DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR ACQUISITION/RELOCATION COMMUNITY DEVELOPMENT BLOCK GRANT UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADOPT THE FOREGOING RESOLUTION. ALDERMAN CAMPBELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE ALDERMAN WILLIAM H. CAMPBELL ALDERMAN REUBEN CLEPPER ALDERMAN LEROY SCOTT ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FOR THE EXTENSION OF WATER AND SEWER SERVICES ON KELLY ROSE LANE BY HERBIE CLEARMAN.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO TABLE THIS MATTER UNTIL THE NEXT BOARD MEETING. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE ALDERMAN WILLIAM H. CAMPBELL ALDERMAN REUBEN CLEPPER ALDERMAN LEROY SCOTT ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT THE PETAL MASONIC LODGE NO 516 HAS RETURNED THE VOTING PRECINCT RENTAL AGREEMENT STATING THAT THE RENTAL FOR THE BUILDING SHOULD BE \$125.00 FOR EACH ELECTION INSTEAD OF \$75.00 FOR EACH ELECTION.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO AMEND THE VOTING PRECINCT RENTAL AGREEMENT TO STATE \$125.00 FOR EACH ELECTION INSTEAD OF \$75.00 FOR EACH ELECTION. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE ALDERMAN WILLIAM H. CAMPBELL ALDERMAN REUBEN CLEPPER ALDERMAN LEROY SCOTT ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING PROOFS OF PUBLICATION TO THE BOARD:

- A) NOTICE B.R. BRADLEY ZONING APPEALS
- B) LEGAL NOTICE 1996 CDBG/HUD PROFESSIONAL SERVICES
- C) PUBLIC HEARING NOTICE
- D) NOTICE TO INTERESTED PARTIES/INSTITUFORM GULF SOUTH E) NOTICE TO INTERESTED PARTIES/C.J. MORGAN
- F) PUBLIC NOTICE/RON FARRIS ZONING CHANGE REQUEST
- G) ORDINANCE 1979 (42-A89)
- H) ORDINANCE 1979 (42-A90)

THEREUPON, ALDERMAN CLEPPER MADE A MOTION THAT THE FOREGOING PROOFS OF PUBLICATION BE ACCEPTED AND FILED. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE ALDERMAN WILLIAM H. CAMPBELL ALDERMAN REUBEN CLEPPER ALDERMAN LEROY SCOTT ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FROM NEEL-SCHAFFER, FOR THE CITY TO APPROVE THE PROGRESS PAYMENT FOR ADEN BALL TNC. AND CONTRACTOR EDDIE LOPER IN THE AMOUNT OF \$10,950.00 ON MR. BALL'S HOME PROJECT.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO PAY THE PROGRESS PAYMENT IN THE AMOUNT OF \$10,950.00 TO ADEN BALL AND EDDIE LOPER. ALDERMAN CAMPBELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE ALDERMAN WILLIAM H. CAMPBELL ALDERMAN REUBEN CLEPPER ALDERMAN LEROY SCOTT ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

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NONE

WHEREAS, MAYOR GAY PRESENTED THE REVENUES AND EXPENDITURE REPORT FOR THE MONTH OF MARCH TO THE BOARD.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO ACCEPT THE REVENUES AND EXPENDITURE REPORT FOR THE MONTH OF MARCH. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE ALDERMAN WILLIAM H. CAMPBELL ALDERMAN REUBEN CLEPPER ALDERMAN LEROY SCOTT ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE CONTRACT BETWEEN THE CITY OF PETAL AND BLUE CROSS & BLUE SHIELD OF MISSISSIPPI EFFECTIVE MAY 1, 1996.

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT BETWEEN THE CITY AND BLUE CROSS. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE ALDERMAN WILLIAM H. CAMPBELL ALDERMAN REUBEN CLEPPER ALDERMAN LEROY SCOTT ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF MARCH TO THE BOARD.

WHEREAS, MAYOR GAY PRESENTED THE MINUTES OF THE PETAL PLANNING COMMISSION RECOMMENDING THAT THE MAYOR AND BOARD LEAVE THE PRESENT ORDINANCES "AS IS" CONCERNING THE PLACEMENT OF MANUFACTURED HOMES.

SEE EXHIBIT "H"

MINUTES OF PLANNING COMMISSION

THEREUPON, ALDERMAN CAMPBELL MADE A MOTION TO ACKNOWLEDGE THE RECEIPT OF THE RECOMMENDATION AND TO ENTER IT INTO THE MINUTES. ALDERMAN BRANDLE SECONDED THE MOTION.

CITY OF PETAL MINUTE BOOK 15

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE ALDERMAN WILLIAM H. CAMPBELL ALDERMAN REUBEN CLEPPER ALDERMAN LEROY SCOTT ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, ALDERMAN TIMS STATED THAT HE WOULD LIKE TO ALLOW MRS. NUNNELLY TO PLACE A MANUFACTURED HOME ON HER PROPERTY ON VAN SLYKE LANE.

THEREUPON, ALDERMAN CLEPPER STATED THAT HE WOULD LIKE TO CONSIDER MRS. NUNNELLY'S SITUATION AS A HARDSHIP CASE AND ALLOW THE PLACEMENT OF THE MANUFACTURED HOME.

THEREUPON, STAN AARON STATED, THAT FOR THE RECORD, HE IS NOT OBJECTING TO THE REQUEST BY MRS. NUNNELLY BUT HE IS OBJECTING TO THE NEXT REQUEST AND THE NEXT REQUEST. MR. AARON STATED THAT HE IS OPPOSED TO A NEW CLASSIFICATION OF ZONING WHICH WOULD ALLOW PROPERTY TO BE REZONED TO PERMIT THE PLACEMENT OF A MANUFACTURED HOME IN ANY NEIGHBORHOOD.

THEREUPON, MRS. NUNNELLY AGAIN REQUESTED THAT THE BOARD GRANT HER PERMISSION TO PLACE A MANUFACTURED HOME ON HER PROPERTY BASED ON A HARDSHIP.

THEREUPON, CITY ATTORNEY THOMAS W. TYNER ADVISED THE BOARD THAT TO VOTE TO PERMIT SOMETHING THAT IS IN VIOLATION OF THEIR OWN ORDINANCE WILL NOT STAND UP IN COURT IF CHALLENGED. MR. TYNER STATED THAT THERE IS NO PROVISION FOR A HARDSHIP IF THE ZONING IS VIOLATED.

THEREUPON, MR. CLEPPER STATED THAT THE BOARD COULD CREATE A NEW ZONING CLASSIFICATION WHICH WOULD ALLOW MANUFACTURED HOMES ON LOTS IN RESIDENTIAL AREAS OF THE CITY.

THEREUPON, MR. TYNER STATED THAT SINCE THE PLANNING COMMISSION HAS REVIEWED THE REQUEST OF THE BOARD TO CONSIDER CREATING A NEW ZONING CLASSIFICATION AND HAS RENDERED A RECOMMENDATION NOT TO AMEND THE ORDINANCE THAT THE MAYOR AND BOARD OF ALDERMEN WILL HAVE TO HOLD THE PUBLIC HEARING AND DECIDE WHETHER TO AMEND THE ZONING ORDINANCE. MR. TYNER ALSO ADVISED THE BOARD THAT THE CITY IS INVOLVED IN LITIGATION THAT CAN BE ADVERSELY AFFECTED BY CHANGING THE CITY'S ZONING ORDINANCE.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO TABLE THIS MATTER UNTIL THE NEXT MEETING. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE ALDERMAN WILLIAM H. CAMPBELL ALDERMAN REUBEN CLEPPER ALDERMAN LEROY SCOTT ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY REQUESTED THE WISHES OF THE BOARD CONCERNING THE PROPOSAL FOR THE 1996 CDBG PROJECT.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT THE PROPOSAL RECEIVED FROM NEEL-SCHAFFER, INC. FOR THE PREPARATION AND ADMINISTRATION OF THE 1996 CDBG APPLICATION. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE ALDERMAN WILLIAM H. CAMPBELL ALDERMAN REUBEN CLEPPER ALDERMAN LEROY SCOTT ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, CITY ATTORNEY THOMAS W TYNER REQUESTED AN EXECUTIVE SESSION TO DISCUSS THE PENDING LITIGATION CONCERNING THE SEWER REVOLVING FUND LOAN.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO CLEAR THE ROOM TO DETERMINE IF AN EXECUTIVE SESSION IS NEEDED. ALDERMAN TIMS SECONDED THE MOTION.

THEREUPON, MAYOR GAY REOPENED THE MEETING.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ENTER INTO AN EXECUTIVE SESSION TO DISCUSS THE PENDING LITIGATION CONCERNING THE SRF LOAN AND PERSONNEL MATTERS CONCERNING THE POLICE DEPARTMENT. ALDERMAN TIMS SECONDED THE MOTION.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADJOURN THE EXECUTIVE SESSION. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE ALDERMAN WILLIAM H. CAMPBELL ALDERMAN REUBEN CLEPPER ALDERMAN LEROY SCOTT ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

THERE WAS NO OFFICIAL ACTION TAKEN IN EXECUTIVE SESSION.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO ADJOURN. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE ALDERMAN WILLIAM H. CAMPBELL ALDERMAN REUBEN CLEPPER ALDERMAN LEROY SCOTT ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

THEREBEING NO FURTHER BUSINESS, THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI WAS ADJOURNED ON THIS THE 16TH DAY OF APRIL, A.D., 1996.

JACK GA MAYOR

(SEAL)

ATTEST:

miel PRISCILLA C. DANIEL CITY CLERK

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NEEL-SCHAFFER. INC.

EXHIBIT "A"

NECE 30.1174 7 4.4 ENGINEERS - PLANNERS P. O. Box 692 / 704 Hardy Street (39401) Hattesburg, MS 39403-0862 Telephone: (801) 545-1565 / Fax: (801) 545-2267

April 16, 1996

Mayor and Board of Aldermen City of Petal 119 West 8th Avenu Petal, Mississippi 39465

Dear Mayor and Board of Aldermen:

REFERENCE: PROPOSAL FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE PLANNING AND ADMINISTRATION OF THE 1996 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

It is our pleasure to submit this proposal for Professional Services in connection with your 1996 Community Development Block Grant Program. Our services include the preparation of the 1996 CDBG application and the administration of the project, if funded.

The firm of Neel-Schaffer, Inc. has been active and successful in Community Development Block Grant applications and program administration since 1977. The Hattiesburg office staff includes two certified Building Inspectors and a certified Acquisition and Relocation Officer. Section 2 of this proposal reflects our project experience and also contains a list of references.

We appreciate the opportunity to submit this information to you. Please feel free to call us for additional information or to contact any of our references listed in Section 2. We look forward to working with you on this most important project.

Sincerely,

NEEL-SCHAFFER, INC.

Randall L. Measlor Randall L. Meador, P.E., AICP

Vice President

2-5-9604/cw

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CITY OF PETAL SCOPE OF SERVICES 1996 ACQUISITION/RELOCATION COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Planning and Administration

Neel-Schaffer, Inc. will provide application preparation services and if funded provide the administration and management of the 1996 Acquisition/Relocation Community Development Block Grant Program. The services to be performed shall be for the items listed below:

I. APPLICATION PREPARATION

A. Attend CDBG application preparation workshop conducted by State.

- B. Attend one required public hearing, explain the State program final statement on program activities, design and funding levels.
- C. Prepare all necessary public notices.
- D. Meet with City Officials, discuss public input and proposed projects.
- E. Prepare necessary resolutions, correspondence, public notices, and certifications.
- F. Research and document any past performance in Minority Business Enterprises and Women Business Enterprises in previously funded CDBG projects.
- G. Coordinate with federal, state, and local agencies to document sources of leveraging funds and documented deficiencies.
- H. Conduct research of local government files on comprehensive plan, general taxing efforts, City operating costs, estimates of City's fiscal year per capita tax burden, local government financial commitment to the project and current status on any ongoing CDBG project the City must assist in providing base data.
- I. Preparation of required maps of the proposed CDBG program and project area(s).
- J. Prepare all narrative required in the application.
- K. Supervise any necessary door-to-door surveys in order to determine low and moderate income beneficiaries, female headed households, information on handicapped persons or calculate the City low and moderate income households from the 1990 census data if available. If a door-to-door survey becomes necessary, the City must provide the personnel to conduct the survey.

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- L. Conduct preliminary unit interestions. Complete household eligibility, unit eligibility and cost estimate. and cost estimate.
- Combine all collected data in final form, type, copy, and bind a minimum of five (5) complete sets of the completed final application. М.

N. Ensure on time delivery of application to the appropriate State agency.

- O. Accompany State representatives on any project site visits.
- P. If application is approved, assist the City in negotiations with the designated State
- agency. ADMINISTRATION AND MANAGEMENT
- A. Environmental Review

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- 1. If required, prepare environmental assessment of the project using Format II.
- 2. Prepare and submit cultural resource assessment and correspondence to the Mississippi Department of Archives and History.
- 3. Prepare and publish all applicable notices.
- 4. Disseminate finding of no significant impact (FONSI) to appropriate agencies and interested parties.
- 5. Obtain a release of all conditions and funds.
- 6. Establish and maintain the Environmental Review Record (ERR).
- B. Financial Management
 - 1. Coordinate with City and State enactment of the Designation of Depository for Direct Deposits of CDBG Funds.
 - 2. Prepare for the City the necessary financial management certifications and transmit to the State.

 - 3. Advise City on the financial management guidelines of the State's Federal-State Advise City on the financial management guidelines of the State's Federal-State Programs and Department of Community Development. This includes assistance in reporting quarterly expenditures, requests for cash, and payments to contractors. This will cover assistance to the City in proper accounting procedures such as maintenance of cash receipts and disbursement journals and a general ledger (coording to State CD requirements) a general ledger (according to State CD requirements).
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- 4. Prepare and coordinate with the State all required budget modifications of the project throughout project duration.
- 5. Advise and assist City in proper documentation of any "other" sources of funds used in the project.
- 6. Submit to the State copies of audit reports.
- 7. Advise and assist City in compliance with A-102 and A-37 requirements.
- 8. Perform all bookkeeping requirements for the Community Development Program of the City (maintenance of all financial records).
- C. Overall Program Management
 - 1. Conduct overall supervision of program activities.
 - 2. Coordinate Community Development Program activities with the City's activities (coordination of approval of payment to contractors).
 - 3. Work with federal, state and local officials to satisfy any special conditions to the grant agreement.
 - 4. Assure compliance with new program requirements and developments.
 - 5. Coordinate with other federal programs necessary to achieve project goals.
 - 6. Assist in all State Community Development monitoring visits.
 - 7. Attend all applicable workshops and conferences in the State on the Small Cities Community Development Block Grant Program.
 - Establish program activity timetables and coordinate overall project implementation with engineers, Federal agencies, and State and City government officials to ensure timely completion of the program.
 - 9. Establish and maintain a system of filing in conformance with the Model File System of the State Community Development Block Grant Program.
 - 10. Prepare and submit to the State the Program Performance Report and close-out package in conformance with State requirements.
 - 11. Prepare all project general correspondence to include clearing and responding to State monitoring findings.
 - 12. Address any audit findings of the project to effect their clearance.

III. TECHNICAL SERVICES

EXHIBIT "A"

Because the project contains the acquisition of real property, the project manager will be responsible for ensuring compliance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 ("Uniform Act") and implementing Regulations 14 CFR 42 as contained in HUD Handbook 13781 and adopted by the State. This includes the issuance of all applicable notices to property owners, determining properties to be acquired and coordinating with legal council. This includes maintaining project files in conformance to State guidelines and attending all monitoring visits from the State to answer questions and provide information on real property acquisition.

B. Relocation Assistance to Displaced Households

Because the project contains relocation activities, the project manager will be responsible for ensuring compliance with the requirements of the "Uniform Act" and implementing Regulations 24 CFR 42, as contained in HUD Handbook 1378.1 and adopted by the State Department of Community Development. This will include the issuance of all applicable notices, maintenance of project files and participation in all monitoring by the State.

C. Housing Rehabilitation

If the project contains housing rehabilitation activities, the project manager will be responsible for:

- 1. Establishment of Housing Rehabilitation Guidelines and Procedures.
- 2. Assignment of staff responsibilities and coordination of payments to contractors with overall financial management of the project.
- Establishment of maintenance of housing rehabilitation files in conformance to State guidelines and coordination with local bank(s) for needed escrow account.
- 4. Solicitation of housing rehabilitation recipients from the project area financial eligibility assessments.
- 5. Preparation of preliminary work write-ups and cost estimates.
- 6. Conducting selection of recipients.
- 7. Preparation of bid specifications and package review with homeowners.
- 8. Advertisement and solicitation for contractors.
- 9. Inspection of property being rehabilitated.
- 10. Attending all bid openings.
- 11. Coordinating City/Owner final inspection and acceptance.
- 12. Completing project files.

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- 13. Coordinating release of liens and final payment to contractor(s).
- 14. Conducting all needed follow-up visits with property owners to clear up any problems.

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EXHIBIT "B"



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210 WEST HOSPITAL DRIVE POST OFFICE BOX 16509 HATTIESBURG, MS 39404-6505 (601) 268-8088 FAX (601) 268-8085

WORK WELL & THE CITY OF PETAL

一、 一、 教育部分的教育会 中本

EMPLOYEE ASSISTANCE PROGRAM SERVICE AGREEMENT

This agreement outlines the rights and responsibilities of Work Well and The City of Petal provision of a broadbrush Employee Assistance Program (EAP). The overall goal for this program is to provide employees and their immediate family members with readily available professional assessment, referral when appropriate, and short term counseling services for: alcohol and other substance abuse; marital and family problems; emotional disorders; job stress; financial difficulties; and legal concerns.

Work Well is a part of Wesley Health Care Systems, Inc., Hattiesburg, MS. The City of Petal is herein after referred to as "Company".

Obligations of Work Well

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- Work Well agrees to: A.
 - Develop and present a minimum of one and one half hours of initial supervisor, and management training opportunities.
 - 2. Provide 30 minute presentations to all employees introducing the EAP.
 - Provide Employee Assistance Program Services for all employees and their immediate family members. Family members include the employee, spouse, natural or adopted or step-children under 21 living in the home of the employee.
 - 4. Provide short-term counseling (3 to 5 sessions).
 - 5. Maintain strict standards and practices of confidentiality.
 - 6. Maintain a staff of professionally trained counselors.
 - 7. Provide a confidential interview location.
 - Follow-up on all referred clients at least weekly while actively involved in a substance abuse treatment program, weekly for three weeks after completion of primary treatment and then monthly thereafter for the next 12 months.
 - Follow-up on all clients referred for emotional distress at least monthly (with client and mental health professional).
 - 10. Maintain a network of qualified referral sources
 - Provide Company with quarterly utilization reports and an annual summary report with recommendations.
 - 12. Provide initial and ongoing program promotional materials
 - 13. Provide quarterly seminars to employees on topics of your choice
 - 14. Provide Company with paycheck stuffers or mailers as needed.
 - Assist Company in writing policies and procedures to implement and maintain EAP, a substance abuse policy and a drug-free workplace policy.
 - 16. Exercise duty to warn by notifying the Manager of the company or the Human Resources Manager when threats of bodily harm are made toward any individual employed by the company or working on the company's premises.
 - 17. Provide liaison for company and certified inpatient psychiatric and substance abuse program

П. Obligations of Company

A. Company agrees to:

- Encourage active management, and supervisory involvement in program training and promotion.
- 2. Provide Work Well with access to employment and personnel policies and rocedures
- Assist in the revision of old and drafting of new policies and procedure necessary for utilization of the EAP.
- Provide Work Well with a list of all active employees and their home addresses at the start of each month. Billing will be based on the number of current employees.
- Provide Work Well with a copy of the provisions and schedule of benefits for the employer supported health insurance plans.

Fee Agreement III.

The fee for the above services will be \$3.00 per employee per month. 70 employees x \$3.00 = \$210.00 a month.

The fee for services as outlined above will be paid by the Fifth of each month

Term, renewal, and termination IV.

This agreement shall be automatically renewed for successive one-year periods thereafter, unless either party gives at least 90 days prior written notice to the other party that it intends to terminate this agreement.

If at any time either party believes that a breach of this agreement has occurred, written notice must be given to the other. Failure of that party to correct or rectify the breach within thirty (30) days shall give the other party the right to terminate this agreement upon written notice.

athen Attom 0 Katherine Pittman Director of Work Well Services and

april 10, 1996

Managed Care

Jack Gay Mayor W 0

<u>April. 16, 1996</u>

EXHIBIT "C"

RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN UNDER SECTION 104(D) OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AS AMENDED.

The City of Petal will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than as low/moderate income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.606(b)(1).

All replacement Housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the City of Petal will make public and submit to the HUD Field Office the following information in writing:

- 1. A description of the proposed assisted activity;
- 2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate income dwelling units as a direct result of the assisted activity;
- 3. A time schedule for the commencement and completion of the demolition or conversion;
- 4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
- 5. The source of funding and a time schedule for the provision of replacement dwelling units; and
- 6. The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy.

The City of Petal will provide relocation assistance, as described in 570.606(2), to each low/moderate income household displaced by the demolition of housing or by the conversion of a low/moderate income dwelling to another use as a direct result of assisted activities.

Consistent with the City of Petal's goals and objectives of activities assisted under the Act, the City of Petal will take the following steps to minimize the displacement of persons from their homes:

- 1. Evaluation of activity to determine that no alternative solution/location exists that would allow the occupant to remain in their home (site change or relocation proposed improvements converting public facilities improvements, right-of-ways, easements, etc.)
- 2. Determination that a dwelling considered under an Acquisition/Relocation Housing Program not be rehabilitable according to the Rehabilitation Inspector.

The Residential Antidisplacement and Relocation Assistance Plan and supporting documents are on file and have been made public by posting and/or by publication in the local paper the notice as follows:

The City of Petal has on file for public viewing a Residential Antidisplacement and Relocation Plan under Section 104(d) of the Housing and Community Development Act of 1974, as Amended. This plan affirms that the City will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than as low/moderate income housing as a result of activities assisted with funds, provided under the Housing and Community Development Act of 1974, as Amended, as, described in 24 CRF 570.606 (b) (1). Individuals wishing to view this information may do so during regular office hours at City Hall.

This notification is respectfully submitted by the City of Petal to affirm that the above requirements have been met and that obligating or expending funds that will result in such demolition or conversion of low/moderate income dwelling units to a use other than low/moderate income dwelling units and their replacement thereof shall now commence.

The above and foregoing Antidisplacement and Relocation Plan, having been submitted to and approved by the Board of Aldermen, this $\frac{16^{42}}{2}$ day of $\frac{2}{2}$, A.D., 1996.

APPROVED

ATTEST:

Thursder Clamil

MAYOR

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AFFIRMATIVE MARKETING POLICIES AND PROCEDURES EXHIBIT "D"

Statement of Policy:

The City of Petal has a commitment to non-discrimination and equal opportunity for all residents and contractors who may benefit from all new constructed or substantially rehabilitated projects through local, state, or federal housing funds. The City established procedures to affirmatively market units eligible for local, state, or federal housing assistance. These procedures are intended to further the objectives of Title VIII of the Civil Rights Act of 1968, Executive Order 11063, and the National Affordable Housing Act of 1990.

The City believes that individuals of similar economic levels in the same housing market area should have available to them a like range of housing choices regardless of their race, color, religion, sex, and national origin.

The City is committed to the goals of affirmative marketing which will be implemented through a specific set of steps that the City and participation owners will follow. These goals will be reached through the following procedures:

Procedure 1:

Informing the public, potential tenants, multifamily owners, and single family owners about federal fair housing laws and affirmative marketing policies:

Through its Project Administrator, the City will inform the public, potential tenants, and property owners about this policy and fair housing laws.

The Project Administrator will:

inform the general public by

* Placing public notices to the media, at City Hall, the Library, the Post Office, and/or the project area, etc.

inform potential tenants by

- * Placing public notices in the target area at community centers, civic clubs, apartment complexes, and Laundromats, etc.
- * Post signs with the Equal Housing Opportunity logo at project sites.

inform owners by

- * Placing a public notice in the paper, at local banks, the post office, and neighborhood churches, etc.
- * Meeting with owners individually and as a group
- * Holding public hearings

Procedure 2:

Requirements for owners to inform the general renter public about available rehabilitated units:

It is the City's policy to require substantial steps by project owners to carry out affirmative marketing. Owners should provide for costs associated with these requirements in their planned operating costs and City's subsidy decisions, which by necessity will take these costs into account. Owners of small properties with limited management staff may seek waivers of these requirements on a case by case basis from the City.

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Participating property owners will be required to make information on the availability of units known through:

EXHIBIT "D"

- Advertisements in the local newspaper if the owner ordinarily advertises available rentals in the news media.
- Notification to local Public Housing Authority of vacancy where feasible.
- Notifying the Mississippi Regional Housing Authority No. VIII and requesting that staff inform applicants on its waiting list about upcoming vacancies.

We will emphasize to owners that to the extent feasible without holding units off the market, they make information about upcoming vacancies available to the general public.

The City will require that property owners selected for participation in local, state, or federal assisted housing programs comply with affirmative marketing requirements, rent controls, income constraints, and tenant and participant protection requirements set forth at 24 CFR Part 92.253.

Procedure 3:

Special Outreach

In the project area, the City will Determine the racial/ethnic characteristics of the residents who are renters and owners. These residents will be informed of the available local, State and/or federal assistance through the City's affirmative marketing policies and procedures.

Procedure 4:

Recordkeeping

The City will require that owners keep records on:

- 1. The racial, ethnic, and gender characteristics of tenants, and applicants for a required number of days following rehabilitation as required of the City by the State or federal programs' rent controls.
- 2. Activities they undertake to inform the general renter public; specifically:
 - * Copies of advertisements placed in the local newspaper
 - Dates on which the owner contacted the Mississippi Regional Housing Authority No. VIII
 - Dates on which the owner contacted the local PHA
- 3. We also will ask property owners to provide us, where possible, with data on how applicants heard about the housing opportunities.

Procedure 5:

Assessment and Corrective Action

The City will take corrective actions if we find that property owners fail to carry out procedures required of them. If, after discussing with the owners ways to improve procedures the owners continue to fail to meet the affirmative marketing requirements, the City will consider disqualifying an owner from future participation in any State or federal programs.

Endorsement and Adoption

The Board of Aldermen of the City of Petal, Mississippi hereby approve and adopt these Affirmative Marketing Policies and Procedures to assure that all federal, State, and local housing assistance is provided to individuals regardless of their race, color, religion, gender, or nation origin.

Approved this 16th day of ______, 1996

Mayor

C Danie City Clerk

CITY OF PETAL MINUTE BOOK 15 TENANT ASSISTANCE POLICY FOR THE CITY OF PETAL 1996 CDBG HOUSING PROGRAM

1. <u>OBJECTIVE</u>

To avoid or minimize displacement where possible and mitigate the adverse affects on any low- and moderate-income tenants displaced under the City of Petal's 1996 CDBG Housing Program.

2. POLICY STATEMENT ON DISPLACEMENT

The City of Petal will avoid wherever possible undertaking rehabilitation activities which will result in the involuntary, permanent displacement of a tenant from a dwelling unit because of its rehabilitation. Displacement results if a low income family is forced to move permanently from a dwelling unit as a direct result of a rehabilitation activity under the CDBG Housing Rehabilitation Program. A tenant will not be considered permanently displaced if he/she is offered a decent, safe and sanitary dwelling unit in the project at a rate which is affordable to the tenant.

3. RESIDENTIAL TENANTS OFFERED RIGHT TO CONTINUE IN OCCUPANCY

- (a) Section 8 Assistance Any residential tenant-occupant who is not required to move permanently in order to carry out the program shall be entitled to lease and occupy a suitable dwelling unit in the project after the rehabilitation is completed. The Mississippi Regional Housing Authority No. VIII will issued Section 8 Certificates or vouchers to existing tenants provided the tenants are eligible for assistance under the Section 8 Program.
- (b) <u>Advisory Service</u> The Mississippi Regional Housing Authority No. VIII will provide information and counseling services to familiarize tenants in units to be rehabilitated with opportunities to select other housing units within the entire jurisdiction of the Regional Housing Authority, their rights under the Federal Fair Housing Laws and how to search for suitable replacement housing.
- (c) <u>Temporary Relocation Housing</u> If temporary relocation is required in order to carry out the rehabilitation, the tenant will be reimbursed for any increase in rent and utility costs in the temporary unit (the utility cost increase may be estimated), incurred in connection with the move. The housing offered for the temporary period shall be decent, safe, and sanitary. If the temporary period will exceed one year, the tenant may ask the City to provide permanent relocation assistance and the City will consider such a request. If a decent, safe, and sanitary dwelling unit is available in the rehabilitation project, the tenant is required to move to that unit while the rehabilitation work is being carried out. The tenant will only be compensated for reasonable out-of-pocket moving expenses not to exceed \$300. All costs for temporary relocation assistance as a result of the Rehabilitation Program will be reimbursed to the City by the owner of the project.

4. RESIDENTIAL TENANTS PERMANENTLY DISPLACED

In the event a tenant is permanently displaced under the Program, then the relocation assistance for tenants will be provided in accordance with applicable requirements of the U. S. Department of Housing and Urban Development and the State's Department of Community Development, and will be done on consultation with these agencies. All costs for permanent relocation assistance as a result of the Rehabilitation Program will be reimbursed to the City by the owner of the project.

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EXHIBIT "F"

SECTION 504 ASSESSMENT AND CERTIFICATION

This certifies that the City of Petal has performed an assessment and is complying with the Basic Requirements of Section 504 of the Rehabilitation Act of 1973.

- the designation of a responsible employee to coordinate compliance with regulations pertaining to the handicapped.
- the adoption of grievance procedures for quick and prompt resolution of any complaints of alleged discrimination based on disability.
- notification to employees and perspective employees that the City of Petal does not discriminate on the basis of disability.
- the development of a transition plan
- self evaluation of physical and programmatic accessibility.

Jack Gay Mayor

Witness:

Priscilla Daniel, City Clerk

RESOLUTION EXHIBIT "G"

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE STATE OF MISSISSIPPI, DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR ACQUISITION/RELOCATION COMMUNITY DEVELOPMENT BLOCK GRANT UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED.

WHEREAS, the State of Mississippi is authorized to make grants for Community Development projects by authority of the Housing and Community Development Act of 1974, as amended, and

WHEREAS, the Act requires the preparation of a Community Development Needs Assessment and the adoption of such Assessment by the governing body of the applicant; and

WHEREAS, receipt by the applicant of such federal assistance will require the certification of certain assurances to the Act;

NOW, THEREFORE, BE IT RESOLVED by the City of Petal, Mississippi:

- 1. That Mr. Jack Gay, being the chief executive officer of the City of Petal, is authorized to execute and file an application for Community Development Block Grant Funds on behalf of the City of Petal, Mississippi, with the State of Mississippi, Department of Economic and Community Development to aid in the financing of community development improvements.
- 2. That the Community Development Needs Assessment with Assurances will be on file in the office of the City Clerk upon submission to the State and is hereby adopted as the official Community Development Needs Assessment for the City of Petal.
- 3. That Jack Gay, Mayor of the City of Petal, Mississippi, is authorized to furnish on behalf of the City, such additional information as the State of Mississippi, Department of Economic and Community Development may require in connection with the grant application or the project.
- 4. That Mayor Jack Gay, being the chief executive officer of the City of Petal, is authorized to execute those documents and agreements that may be required to accept and implement this grant, if awarded.

This is the $\frac{164}{2}$ day of *pul*, A.D., 1996.

Jack Gay, Mayor

ATTEST:

un C. Danie City Clerk

EXHIBIT "H"

MINUTES OF PLANNING COMMISSION

Members present:

Rachel McKenzie, Acting Chairman Truitt Weatherford B. C. Lewis Buddy Reynolds Robert Odom Grady Crosby

The Planning Commission for the City of Petal met on April 9, 1996 at 7:00 p.m. Rachel McKenzie presided over the meeting in the absence of Verna Smith, Chairman.

The purpose of this meeting was to act on the proposal discussed at the previous meeting on March 28, 1996 on a new zoning classification for allowance of manufactured homes in residential areas. Hearings were heard at that meeting from those opposing and those asking for this new zoning.

Mr. Robert Odom made a motion to recommend to the Board of Aldermen and Mayor to leave the present ordinances as is and make no changes. Mr. Truitt Weatherford seconded the motion. All members present voted for this recommendation except Mr. Grady Crosby who opposed this recommendation.

A motion and second was made to adjourn.

Rachel L. McKenzie