

April 9, 2018

The City Council of the City of Sulphur, Louisiana, met in regular session at its regular meeting place in the Council Chambers, Sulphur, Louisiana, on April 9, 2018 at 5:30 p.m., after full compliance with the convening of said meeting with the following members present:

DRU ELLENDER, Council Representative of District 1
DENNIS BERGERON, Council Representative of District 2
MELINDA HARDY, Council Representative of District 3
RANDY FAVRE, Council Representative of District 4
STUART MOSS, Council Representative of District 5

After the meeting was called to order and the roll called with the above result, prayer was led by Ed Holmes, followed by the reciting of the Pledge of Allegiance led by Mr. Moss.

The Chairman asked if there were any changes to the minutes of the previous meeting. With no changes made, motion was made by Mr. Moss seconded by Mr. Bergeron that the minutes stand as written. Motion carried unanimously.

The Chairman then asked if there were any changes to the agenda. Motion was then made by Mr. Moss seconded by Mrs. Ellender that item 1A be added:

Janie Fruge, WCCH, presentation on WCCH tax renewal.
Motion carried unanimously.

Motion was then made by Mr. Moss seconded by Mrs. Hardy that the agenda stand as amended.
Motion carried unanimously.

The first item on the agenda is a presentation by Armed Forces Committee. The Committee presented a certificate to Mayor Duncan and his wife Angel and thanked them for all their support to the Armed Forces Committee.

The next item on the agenda is Janie Fruge, WCCH, presentation on WCCH tax renewal. Mrs. Fruge gave a brief presentation in support of the tax renewal on the upcoming ballot (to see complete presentation log onto www.sulphur.org and click on the Council tab).

The next item on the agenda is David Spicer, Sulphur High School Community Impact Program, to address Council. Heather Hohensee, Driftwood LNG, addressed the Council and stated that their company gave \$20,000 to a group of Sulphur High School students for them to take their leadership skills and do a community project. They were given very few rules and guidelines for their project. Sulphur High is our pilot school. Three students with SHS addressed the Council and stated that they would like to do a food pantry in 3 different locations in Sulphur. They would like to fill pantries for the needy with non-perishable food items and personal hygiene items to enhance their quality of life. Maybe hold a food drive at local schools and churches.

The next item on the agenda is a proclamation presented to Eagle Scouts. Mr. Hardy presented a proclamation to Dylan McFarlain, Grant Erbelding, Ryan Erbelding and Zachary Castille and congratulated them on their Eagle Scout accomplishment.

The next item on the agenda is a public hearing on ordinance accepting Final Plat from Roy Washington to subdivide two parcels into two conforming lots located in the cul-de-sac on Kellison Lane. Mr. Moss stated that the Permit Department will need the No Objection letter from Gravity Drainage before they could proceed. Motion was made by Mr. Moss seconded by Mr. Bergeron that the following ordinance be adopted to-wit:

ORDINANCE NO. 1534, M-C Series

ORDINANCE ACCEPTING FINAL PLAT FROM ROY WASHINGTON FOR
PROPERTY LOCATED IN THE CUL-DE-SAC ON KELLISON LANE

WHEREAS, in accordance with Appendix B, Article III, Part I, Section 1 (6) (c) of the Code of Ordinances of the City of Sulphur, application has been received from Roy Washington,

to accept final plat and revise the Land Use Map for property located in the cul-de-sac on Kellison Lane for property described as follows:

LOT 12-A
BEING THE WEST HALF OF LOT 12 OF BARTON PLACE SUBDIVISION, A
SUBDIVISION AS PER PLAT RECORDED, RECORDS OF CALCASIEU
PARISH, LOUISIANA

LOT 12-B
BEING THE EAST HALF OF LOT 12 OF BARTIN PLACE SUBDIVISION, A
SUBDIVISION AS PER PLAT RECORDED, RECORDS OF CALCASIEU
PARISH, LOUISIANA.

WHEREAS, this final plat is accepted by the City of Sulphur and may be withdrawn by the City of Sulphur should said final plat interfere with the rights and privileges owned by the City of Sulphur pursuant to a pre-existing right of way, servitude or easement. If withdrawn, any improvements constructed thereon shall be removed at the expenses of owner thereof; and

WHEREAS, Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the acceptance of this final plat, including, but not limited to, litigation defense, litigation costs, violation of subdivision restrictive covenants, building code violations or any other damages, property and/or monetary or otherwise, relating thereto; and

WHEREAS, if City Council does hereby accept this final plat and the owner of such shall be responsible for the recordation thereof, with the Clerk of Court, Calcasieu Parish, Louisiana, and shall provide the City of Sulphur a receipt evidencing recordation within 10 days of the effective date of this subdivision; and

WHEREAS, no work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this acceptance of final plat shall be withdrawn and considered null and void.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept the final plat from Roy Washington and revise the Land Use Map for property located in the cul-de-sac on Kellison Lane.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 9th day of April, 2018.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a public hearing on ordinance amending Chapter 13.5, Sections 151-152 of the Code of Ordinances of the City of Sulphur – Solicitors, Itinerant Vendors – Going uninvited on private premises and solicitation – registration required. Motion was made by Mr. Moss seconded by Mr. Bergeron that the following ordinance be adopted to-wit:

ORDINANCE NO. 1535, M-C SERIES

ORDINANCE AMENDING CHAPTER 13.5, SECTIONS 151-152 OF THE CODE OF ORDINANCE OF THE CITY OF SULPHUR – SOLICITORS, ITINERANT VENDORS – GOING UNINVITED ON PRIVATE PREMISES AND SOLICITATION – REGISTRATION REQUIRED.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Chapter 13.5, Sections 151-152 to read as follows:

Sec. 13.5-151. – Solicitors, itinerant vendors- Going uninvited on private premises.

The practice of going to or upon private or public premises in the city by solicitors, itinerant vendors, or other sellers of merchandise or services not having been requested or invited to do so by the owner or occupant thereof for the purpose of soliciting orders for the sale or exchange of goods or services, or disposing of or peddling the same, without a written registration from the city as provided for under section 13.5-152 is punishable as a misdemeanor.

The provisions of this section shall not apply to church surveys or governmental surveys, religious proselytizing, political speech, and/or the distribution of handbills in which no solicitation of any donation, contribution, or payment is made.

Sec. 13.5-152 – Solicitation- Registration required.

- (a) Any person or organization desiring to solicit funds, including contributions or payments of any kind or the distributing of literature which solicits contributions or payments, by going in or upon private residences in the city or by going in or on any office building, place of business, or other public building within the municipality uninvited to solicit, or to represent to solicit shall first obtain a written registration from the Chief Building Official, or his designee, hereinafter referred to as “Building Official.” The request for a written registration shall be in a form prescribed by the Building Official, setting forth at least the following:

- (1) The full name, permanent mailing address, temporary local address, telephone and cell number of the person or organization sponsoring, promoting, or conducting the proposed activities, and of the person or persons who will have supervision of and responsibility for the activity;
 - (2) The full name, permanent mailing address, temporary local address, telephone and cell number, and driver's license or other federally recognized form of personal identification of each individual person who will be engaged in the proposed activity within the municipality;
 - (3) A description of the proposed activities, including the type of communication, literature, and the subject matter and purpose of the proposed solicitation or distribution of literature;
 - (4) The dates on which the activities or solicitations are proposed to be carried out;
 - (5) A description or explanation of the purpose or purposes for which the activities are proposed to be conducted and the proceeds of solicitation utilized;
 - (6) A statement to the effect that the requested registration will not be used or represented in any way as endorsement of the city, or by any department or office thereof;
 - (7) Such other information as may be reasonably required by the Building Official in order for him/her to be able to appraise the public of the nature and purpose of the solicitation; and
 - (8) In addition to the required information, each prospective registrant who will be engaging in the proposed activity shall submit to a federal background check reviewed by local law enforcement authority, the cost of which will be paid by the prospect. Based on the results of the background check, the Building Official can refuse to issue a registration to any person whose background check reveals a potential threat to public safety upon the recommendation of local law enforcement.
 - (a) That the person engaging in the proposed activity is not registered on the National Sex Offender Registry.
 - (b) That the person engaging in the proposed activity has not, within the preceding seven (7) years, been convicted of any felonies, sexual offenses, violent crimes or any misdemeanors involving theft.
 - (9) Whenever a registration is issued by the Building Official, each registrant will be issued a photo identification which shall be carried on his/her person and clearly visible in plain view when engaging in such activities. The registration becomes valid and complete upon the issuance of both the registration and photo ID. A reasonable fee for the cost of the production of the photo ID shall also be charged.
- (b) Such request for a registration shall be filed with the Building Official at least three days prior to the commencement of the proposed activity. If at any time while the request is pending, or after the registration has been issued, there is any change of fact, policy, method, or information given in the request or is contrary to or in conflict with the registration that was issued and is on file, the registrant shall notify the Building Official in

writing thereof within two days after such change. The failure to do so shall nullify the registration.

- (c) Registrations issued under this section shall be effective for a period of time not to exceed 90 days, shall not be non-transferable, and shall bear the name of the registrant, the date of registration expiration, and such other information as determined necessary by the Building Official. A registration fee of \$100.00 shall be charged for the issuance of each such registration.
- (d) The Building Official may decline or deny the issuance of a registration for any proposed activity which is unlawful, is misleading, is deceptive, or violates the privacy of the citizens of the city. In making a determination to issue or deny any registration, the Building Official may rely solely on information which is set forth in the request or readily available from other public agencies or independent organizations. There shall be no responsibility on the part of the Building Official or the city to otherwise investigate the qualifications or operations of a registrant.
- (e) During all times of authorized activity, the valid, City of Sulphur issued photo identification obtained by the peddler/solicitor shall be worn on the outer clothing of the individual or otherwise displayed, as to be clearly visible to any person who might be approached by the peddler/solicitor.
- (f) In connection with any solicitation for which a registration is issued or required by this section to be obtained, the following activities are prohibited and shall constitute a violation of this section and cause for revocation, termination, or denial of a registration and cessation of the requested activity:
 - (1) Solicitation without prior registration or any manner which does not conform to the conditions or limitations set forth in this section;
 - (2) Falsification of any information set forth in the request for registration;
 - (3) Going uninvited to any private residence, place of business, or office before the hour of 9:00 a.m. or after the hour of 6:00 p.m.;
 - (4) Going uninvited to any location other than the front door or main entrance of any residence, place of business, or office building at any time;
 - (5) Repeated uninvited visits to the same premises during the term of this registration;
 - (6) Solicitation on or beside municipal streets or public highways, or by approaching drivers or passengers or motor vehicles in any location;
 - (7) The offering of any merchandise of more than nominal cost or value in exchange, or in connection with any solicited payment, donation, or contribution;
 - (8) Solicitation of orders or the receipt of any form of payment for the future delivery or provision of any merchandise or services;
 - (9) The offering of any raffle tickets or any form of participation in any lottery or game of chance;
 - (10) Solicitation of funds for any purpose, including political or profit motivated activity, which a nonprofit organization is prohibited from conducting by Section 501(c)(3) or other provision of the United States Internal Revenue Code;

- (11) Going uninvited to any private residence, place of business, or office that has been properly posted with “No Trespassing” or “No Solicitation” signs on the premises as proscribed by section 13.5-151 of this Code.
- (12) Penalty. A violation of this section is punishable by a fine not to exceed five hundred dollars (\$500.00) or by imprisonment for a term not to exceed thirty (30) days, or by both.

BE IT ALSO FURTHER ORDAINED that this Ordinance shall become effective upon the Mayor’s signature.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 9th day of April, 2018.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a public hearing on ordinance granting a rezone to Michelle Towing Corporation from Residential to Commercial to allow for a billboard located on the north side of I-10, between Beglis Parkway exit and South Post Oak Road. Motion was made by Mrs. Hardy seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 1536, M-C SERIES

ORDINANCE GRANTING A REZONE TO MICHELLE TOWING CORPORATION FROM RESIDENTIAL TO COMMERCIAL FOR PROPERTY LOCATED NORTH SIDE OF I-10, BETWEEN BEGLIS PARKWAY EXIT AND SOUTH POST OAK ROAD.

WHEREAS, Michelle Towing Corporation, has submitted application to Rezone from Residential District to Commercial District.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SULPHUR, LOUISIANA, THE GOVERNING AUTHORITY THEREOF, IN REGULAR SESSION CONVENED THAT:

The Land Use Ordinance of the City of Sulphur is hereby amended to grant a Rezone to Michelle Towing Corporation from Residential to Commercial for the following described property to wit:

PARCEL #00674680 – THAT PORTION OF SE SE 2.10.10 LYING NORTH OF I-10 CONTG 2.024 ACRES, TRACT 3

This Rezone is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said Rezone interfere with the rights and privileges owned by the City of Sulphur pursuant to a pre-existing right of way, servitude or easement. If withdrawn, any improvements constructed thereon shall be removed at the expenses of owner thereof.

Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the granting of this Rezone, including, but not limited to, litigation defense, litigation costs, violation of subdivision restrictive covenants, building code violations or any other damages, property and/or monetary or otherwise, relating thereto.

If City Council does hereby approve this Rezone the owner of this rezone shall be responsible for the recordation thereof, with the Clerk of Court, Calcasieu Parish, Louisiana, and shall provide the City of Sulphur a receipt evidencing recordation within 10 days of the effective date of this re-zone.

No work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this Rezone shall be withdrawn and considered null and void.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 9th day of April, 2018.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is an introduction of ordinance declaring certain surplus movable items (Genesis mobile radars). Motion was made by Mr. Bergeron seconded by Mrs. Hardy that the following ordinance be introduced:

AN ORDINANCE DECLARING CERTAIN SURPLUS MOVABLE PROPERTY
OF THE CITY OF SULPHUR AND PROVIDING FOR THE DISPOSAL
THEREOF (GENESIS MOBILE RADARS).

Motion was then made by Mr. Bergeron seconded by Mrs. Hardy that the said ordinance be filed and remain on file with the Clerk of the Council, in final form, for public inspection and that the Mayor is hereby authorized and instructed to publish the Public Notice of Introduction of the above proposed ordinance in “The Southwest Daily News”, the official journal of the City of Sulphur, Louisiana, and that the said Notice of Introduction of the above ordinance is substantially in the following form:

PUBLIC NOTICE

PUBLIC NOTICE is hereby given, in accordance with Section 2-12B of the Home Rule Charter of the City of Sulphur, the following ordinance:

AN ORDINANCE DECLARING CERTAIN SURPLUS MOVABLE PROPERTY OF THE
CITY OF SULPHUR AND PROVIDING FOR THE DISPOSAL THEREOF (GENESIS
MOBILE RADARS).

A public hearing on said ordinance will be held at 5:30 p.m. on the 9th day of April, 2018, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

RANDY FAVRE, Chairman

Motion carried.

The next item on the agenda is an introduction of ordinance amending Public Utility Fund for fiscal year ending June 30, 2018. Motion was made by Mr. Moss seconded by Mr. Bergeron that the following ordinance be introduced:

AN ORDINANCE AMENDING AND RE-ADOPTING THE PUBLIC UTILITY FUND
BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2018.

Motion was then made by Mr. Moss seconded by Mr. Bergeron that the said ordinance be filed and remain on file with the Clerk of the Council, in final form, for public inspection

and that the Mayor is hereby authorized and instructed to publish the Public Notice of Introduction of the above proposed ordinance in “The Southwest Daily News”, the official journal of the City of Sulphur, Louisiana, and that the said Notice of Introduction of the above ordinance is substantially in the following form:

PUBLIC NOTICE

PUBLIC NOTICE is hereby given, in accordance with Section 2-12B of the Home Rule Charter of the City of Sulphur, the following ordinance:

AN ORDINANCE AMENDING AND RE-ADOPTING THE PUBLIC UTILITY FUND BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2018.

A public hearing on said ordinance will be held at 5:30 p.m. on the 14th day of May, 2018, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

RANDY FAVRE, Chairman

Motion carried.

The next item on the agenda is an introduction of ordinance authorizing Mayor Christopher L. Duncan to enter into a Buy/Sell Agreement with Inwood Forest Homeowners Association, Inc.

(portions of Lot B and Lot C – 0.102 acres). Motion was made by Mr. Moss seconded by Mr.

Bergeron that the following amendment be made to the Agreement:

Add #8. The SELLERS shall deliver to the BUYER a merchantable title at the SELLERS’ costs. In the event curative work in connection with the title to the Property is required, at the BUYER’S discretion, the parties agree to and do extend the date for passing the Act of Sale to the date not more than thirty (30) calendar days from the date of the Act of Sale stated herein. The SELLERS’ title shall be merchantable and free of all liens and encumbrances except those that can be satisfied at Act of Sale. The costs and fees required to make title merchantable shall be paid by the SELLERS. The SELLERS shall make a good faith effort to deliver merchantable title. The SELLERS’ inability to deliver merchantable title within the time stipulated herein shall render this Agreement null and void.

Motion carried unanimously.

Motion was then made by Mr. Moss seconded by Mr. Bergeron that the following ordinance be introduced:

ORDINANCE AUTHORIZING MAYOR CHRISTOPHER L. DUNCAN TO ENTER INTO A BUY/SELL AGREEMENT WITH INWOOD FOREST HOMEOWNERS ASSOCIATION, INC.

Motion was then made by Mr. Moss seconded by Mr. Bergeron that the said ordinance be filed and remain on file with the Clerk of the Council, in final form, for public inspection and that the Mayor is hereby authorized and instructed to publish the Public Notice of Introduction of the above proposed ordinance in “The Southwest Daily News”, the official journal of the City of Sulphur, Louisiana, and that the said Notice of Introduction of the above ordinance is substantially in the following form:

PUBLIC NOTICE

PUBLIC NOTICE is hereby given, in accordance with Section 2-12B of the Home Rule Charter of the City of Sulphur, the following ordinance:

ORDINANCE AUTHORIZING MAYOR CHRISTOPHER L. DUNCAN TO ENTER INTO A BUY/SELL AGREEMENT WITH INWOOD FOREST HOMEOWNERS ASSOCIATION, INC.

A public hearing on said ordinance will be held at 5:30 p.m. on the 14th day of May, 2018, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

RANDY FAVRE, Chairman

Motion carried unanimously.

The next item on the agenda is an introduction of ordinance authorizing Mayor Christopher L. Duncan to enter into a Buy/Sell Agreement with Inwood Forest, LLC et al (Edward & Kathleen Nelson – 0.439 acres). Motion was made by Mr. Moss seconded by Mr. Bergeron that the following amendment be made to the Agreement:

Add #8. The SELLERS shall deliver to the BUYER a merchantable title at the SELLERS' costs. In the event curative work in connection with the title to the Property is required, at the BUYER'S discretion, the parties agree to and do extend the date for passing the Act of Sale to the date not more than thirty (30) calendar days from the date of the Act of Sale stated herein. The SELLERS' title shall be merchantable and free of all liens and encumbrances except those that can be satisfied at Act of Sale. The costs and fees required to make title merchantable shall be paid by the SELLERS. The SELLERS shall make a good faith effort to deliver merchantable title. The SELLERS' inability to deliver merchantable title within the time stipulated herein shall render this Agreement null and void.

Motion carried unanimously.

Motion was then made by Mr. Moss seconded by Mrs. Ellender that the following ordinance be introduced:

ORDINANCE AUTHORIZING MAYOR CHRISTOPHER L. DUNCAN TO ENTER INTO A BUY/SELL AGREEMENT WITH INWOOD FOREST, LLC ET AL (EDWARD & KATHLEEN NELSON).

Motion was then made by Mr. Moss seconded by Mrs. Ellender that the said ordinance be filed and remain on file with the Clerk of the Council, in final form, for public inspection and that the Mayor is hereby authorized and instructed to publish the Public Notice of Introduction of the above proposed ordinance in "The Southwest Daily News", the official journal of the City of Sulphur, Louisiana, and that the said Notice of Introduction of the above ordinance is substantially in the following form:

PUBLIC NOTICE

PUBLIC NOTICE is hereby given, in accordance with Section 2-12B of the Home Rule Charter of the City of Sulphur, the following ordinance:

ORDINANCE AUTHORIZING MAYOR CHRISTOPHER L. DUNCAN TO ENTER INTO A BUY/SELL AGREEMENT WITH INWOOD FOREST, LLC ET AL (EDWARD & KATHLEEN NELSON).

A public hearing on said ordinance will be held at 5:30 p.m. on the 14th day of May, 2018, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

RANDY FAVRE, Chairman

Motion carried unanimously.

The next item on the agenda is an introduction of ordinance authorizing Mayor Christopher L. Duncan to enter into a Buy/Sell Agreement with Glenn Terrell Istre, Jr. et ux (Lot 1 Inwood Forest) – 0.724 acres). Motion was made by Mr. Moss seconded by Mrs. Ellender that the following amendment be made to the Agreement:

Add #8. The SELLERS shall deliver to the BUYER a merchantable title at the SELLERS' costs. In the event curative work in connection with the title to the Property is required, at the BUYER'S discretion, the parties agree to and do extend the date for passing the Act of Sale to the date not more than thirty (30) calendar days from the date of the Act of Sale stated herein. The SELLERS' title shall be merchantable and free of all liens and encumbrances except those that can be satisfied at Act of Sale. The costs and fees required to make title merchantable shall be paid by the SELLERS. The SELLERS shall make a good faith effort to deliver merchantable title. The SELLERS' inability to deliver merchantable title within the time stipulated herein shall render this Agreement null and void.

Motion carried unanimously.

Motion was then made by Mr. Moss seconded by Mr. Bergeron that the following ordinance be introduced:

ORDINANCE AUTHORIZING MAYOR CHRISTOPHER L. DUNCAN TO ENTER INTO A BUY/SELL AGREEMENT WITH GLENN TERRELL ISTRE, JR. ET UX.

Motion was then made by Mr. Moss seconded by Mr. Bergeron that the said ordinance be filed and remain on file with the Clerk of the Council, in final form, for public inspection and that the Mayor is hereby authorized and instructed to publish the Public Notice of Introduction of the above proposed ordinance in "The Southwest Daily News", the official journal of the City of Sulphur, Louisiana, and that the said Notice of Introduction of the above ordinance is substantially in the following form:

PUBLIC NOTICE

PUBLIC NOTICE is hereby given, in accordance with Section 2-12B of the Home Rule Charter of the City of Sulphur, the following ordinance:

ORDINANCE AUTHORIZING MAYOR CHRISTOPHER L. DUNCAN TO ENTER INTO A BUY/SELL AGREEMENT WITH GLENN TERRELL ISTRE, JR. ET UX.

A public hearing on said ordinance will be held at 5:30 p.m. on the 14th day of May, 2018, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

RANDY FAVRE, Chairman

Motion carried unanimously.

The next item on the agenda is a resolution accepting Substantial Completion on Concrete Street Rehabilitation 2017. Motion was made by Mr. Moss seconded by Mr. Bergeron that the following resolution be adopted to-wit:

RESOLUTION NO. 3125, M-C SERIES

Resolution accepting Substantial Completion on Concrete Street Rehabilitation 2017.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept Substantial Completion on Concrete Street Rehabilitation 2017.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 9th day of April, 2018.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a resolution approving liquor license for Smokers Paradise located at 2021 Ruth Street. Motion was made by Mr. Bergeron seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 3126, M-C SERIES

Resolution approving liquor license for Smokers Paradise located at 2021 Ruth Street.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby approve liquor license for Smokers Paradise located 2021 Ruth Street.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 9th day of April, 2018.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a resolution awarding the Request for Proposals for Debris Removal and Debris Monitoring and Management following a natural or manmade disaster. Mayor Duncan stated that this is a 3-year agreement with a 2 year extension. Motion was made by Mr. Moss seconded by Mr. Bergeron that the following resolution be adopted to-wit:

RESOLUTION NO. 3127, M-C SERIES

Resolution awarding the Request for Proposals for Debris Removal and Debris Monitoring and Management following a natural or manmade disaster.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby award the Request for Proposals for Debris Removal and Debris Monitoring and Management following a natural or manmade disaster as follows:

Company**Bid****Crowder Gulf (Debris Removal****See Attachment 1****Tetra Tech, Inc. (Debris Monitoring & Mgmt.)****See Exhibit B**

ATTACHMENT 1 - FEE SCHEDULE

DEBRIS REMOVAL, PROCESSING AND DISPOSAL

ITEM	DESCRIPTION OF SERVICE	COST	UNIT
1	Mobilization and Demobilization (Lump Sum)	NA	NA
2	Vegetative and C&D Debris Removal from Public Property (Right-of-Way) and Hauling to Debris Management Sites(DMS/TDSRS) or other disposal sites (NOTE 1 & 6)	\$8.25	CY
3	Vegetative and C&D Debris Removal from Private Property (Right-of-Entry Program) and Publicly Owner Property (other than Right-of-Way) and hauled to DMS/TDSRS or other disposal sites (NOTE 1 & 6)	\$9.50	CY
4	Vegetative and C&D Debris Removal from Public Property (Right-of-Way) and Hauling Directly to Final Disposal Site (NOTES 1, 3 & 6)	\$9.25	CY
5	Vegetative and C&D Debris Removal from Debris Management Sites (DMS/TDSRS) and Hauling to Final Disposal Site (NOTES 2, 3 & 7)	\$6.00	CY
6	Management of DMS/TDSRS (NOTE 4)	\$1.25	CY
7	Processing (Grinding/Chipping) of Vegetative Debris at DMS/TDSRS or Final Disposal	\$2.80	CY
8	Grinding or consolidation of C&D debris at DMS/TDSRS	\$2.80	CY
9	Processing (Open Burning) of Vegetative Debris at DMS/TDSRS or Final Disposal	\$1.40	CY
10	Processing Burning of Vegetative debris using air curtain incinerators at DMS/TDSRS or final disposal	\$2.00	CY
11	Pick Up and Haul of White Goods to Site within CITY/COUNTY/TOWN	\$65.00	UNIT
12	Pick Up and Disposal of Hazardous Material	\$5.00	LB
15	Freon Management and Recycling	\$40.00	UNIT
16	Dead Animal Collection, Transportation and Disposal	\$0.75	LB
Removal of hazardous stumps resulting from trees growing on the right of way and Hauling to Final Disposal Site - (NOTE 6)			
17	24 inch diameter to 47.99 inch diameter	\$350.00	STUMP
18	48 inch diameter and greater	\$400.00	STUMP
Debris from leaners and hangers will be piled on right of ways and will be hauled and disposed of under items 2 - 9			
19	Removal of hazardous hanging limbs greater than 2 inches	\$90.00	PER TREE
20	Removal of hazardous standing trees 6" - 12" in diameter	\$60.00	EACH
21	Removal of hazardous standing trees 13" - 24" in diameter	\$90.00	EACH
22	Removal of hazardous standing trees 25" - 36" in diameter	\$250.00	EACH
23	Removal of hazardous standing trees 37" - 48" in diameter	\$275.00	EACH
24	Removal of hazardous standing trees greater than 48" in diameter	\$300.00	EACH

Marine Debris Removal			
25	Canals, bayous and ditches	\$12.00	PER LF
26	Bays and other open waters	\$1,200	PER ACRE
27	Boat removal	\$45.00	PER LF
The following items shall be billed on a time and material basis according to the attached schedules:			
28	Emergency Road Clearance	See Equipment & Labor Rates	

NOTES:

1. This price assumes that DMS/TDSRS's , final disposal site or other approved disposal sites are within 10 miles. For all distances, over 10 miles add \$0.15 per cubic yard per mile.
2. This price assumes final disposal is within 30 miles of DMS/TDSRS. For all distances, over 30 miles add \$0.15 per cubic yard per mile.
3. The Contractor will pay tipping fee at final disposal site(s) and back charge CITY OF SULPHUR at cost.
4. Includes management of site remediation.
5. All stumps placed on the right of way by citizens will be converted to cubic yards per the attached FEMA Stump Conversion Chart and charged as regular debris under items 2-7.
6. Invoices to be based on incoming load tickets.
7. Invoices to be based on outgoing load tickets.
8. For a multi-year contract, the above prices would be adjusted up or down on the anniversary date of the contract according a percentage equal to the percent change in the Consumer Price Index as published by the U. S. Department of Labor, Bureau of Labor Statistics.

EXHIBIT A

Stump Conversion Table Diameter to Volume Capacity

The qualification of the cubic yards of debris for each size of stump is the following table was derived from FEMA field studies conducted throughout different states during the debris removal operations following Hurricane Charley, Frances, Ivan and Jeanne. The following formula is used to derive cubic yards.

$$\frac{[(\text{Stump Diameter}^2 \times 0.7854) \times \text{Stump Length}] + [(\text{Root ball Diameter}^2 \times 0.7854) \times \text{Root Ball Height}]}{46656}$$

0.7854 is one-fourth Pi and is a constant.

46656 is used to convert inches to Cubic Yards and is a constant.

The formula used to calculate the cubic yardage used the following factors, based upon findings in the field:

- Stump diameter measured two feet up from ground
- Stump diameter to root ball diameter ratio of 1:3:6
- Root ball height of 31"

Stump Diameter (inches)	Cubic Yards
6	0.3
7	0.4
8	0.5
9	0.6
10	0.7
11	0.9
12	1
13	1.2
14	1.4
15	1.6
16	1.8
17	2.1
18	2.3
19	2.6
20	2.9
21	3.2
22	3.5
23	3.8
24	4.1
25	4.5
26	4.8
27	5.2
28	5.6
29	6
30	6.5
31	6.9
32	7.3
33	7.8
34	8.3
35	8.8
36	9.3
37	9.8
38	10.3
39	1.9
40	11.5
41	12
42	12.6
43	13.3
44	13.9
45	14.5
46	15.2

Stump Diameter (inches)	Cubic Yards
47	15.8
48	16.5
49	17.2
50	17.9
51	18.6
52	19.4
53	20.1
54	20.9
55	21.7
56	22.5
57	23.3
58	24.1
59	24.9
60	25.8
61	26.7
62	27.6
63	28.4
64	29.4
65	30.3
66	31.2
67	32.2
68	33.1
69	34.1
70	35.1
71	36.1
72	37.2
73	38.2
74	39.2
75	40.3
76	41.4
77	42.5
78	43.6
79	44.7
80	45.9
81	47
82	48.2
83	49.4
84	50.6

ATTACHMENT II - FEE SCHEDULE

EQUIPMENT RATES

Equipment Description	Unit	Unit Price
JD 544 Wheel Loader with debris grapple	Hour	\$165.00
JD 644 Wheel Loader with debris grapple	Hour	\$175.00
Extendaboom Forklift with debris grapple	Hour	\$128.00
753 Bobcat Skid Steer Loader with debris grapple	Hour	\$80.00
753 Bobcat Skid Steer Loader with bucket	Hour	\$80.00
753 Bobcat Skid Steer Loader with street Sweeper	Hour	\$80.00
30-50 HP Farm Tractor with box blade or rake	Hour	\$61.00
2-2 ½ Cu.Yd. Articulated Loader with bucket	Hour	\$125.00
3-4 Cu.Yd. Articulated Loader with bucket	Hour	\$175.00
JD 648E Log Skidder or equivalent	Hour	\$135.00
CAT D4 Dozer	Hour	\$105.00
CAT D6 Dozer	Hour	\$175.00
CAT D8 Dozer	Hour	\$230.00
CAT 125 - 140 HP Motor Grader	Hour	\$145.00
JD 690 Trackhoe with debris grapple	Hour	\$165.00
JD 690 Trackhoe with bucket & thumb	Hour	\$165.00
Rubber Tired Trackhoe with debris grapple	Hour	\$175.00
JD 310 Rubber Tired Backhoe with bucket and hoe	Hour	\$88.00
Rubber Tired Excavator with debris grapple	Hour	\$150.00
210 Prentiss Knuckleboom with debris grapple	Hour	\$260.00
Self-Loader Scraper Cat 623 or equivalent	Hour	\$47.00
Hand Fed Debris Chipper	Hour	\$473.00
300 - 400 Tub Grinder	Hour	\$675.00
800 - 1,000 HP Diamond Z Tub Grinder	Hour	\$203.00
30 Ton Crane	Hour	\$230.00
50 Tone Crane	Hour	\$350.00
100 Ton Crane (8 hour minimum)	Hour	\$169.00
40-60' Bucket Truck	Hour	\$95.00
Service Truck	Hour	\$95.00
Water Truck	Hour	\$35.00
Portable Light Plant	Hour	\$145.00
Equipment Transports	Hour	\$20.00
Pickup Truck, Unmanned	Hour	\$225.00
Self-loading Dump Truck with Knuckleboom and debris grapple	Hour	\$65.00
Single Axle Dump Truck, 5 - 12 Cu.Yd.	Hour	\$98.00
Tandem Dump Truck, 16 - 20 Cu.Yd.	Hour	\$97.00
Trailer Dump, 24 - 40 Cu.Yd.	Hour	\$122.00
Trailer Dump Truck, 61 - 80 Cu.Yd.	Hour	\$149.00
Power Screen	Hour	\$230.00
Stacking Conveyor	Hour	\$50.00
Off Road Trucks	Hour	\$205.00

LABOR AND MATERIAL RATES

Personnel Description	Unit	Unit Price
Operations Manager	Hour	\$85.00
Superintendent with truck, phone & radio	Hour	\$70.00
Foreman with truck, phone & radio	Hour	\$65.00
Safety/Quality Control Inspector with vehicle, phone & radio	Hour	\$68.00
Inspector with vehicle, phone & radio	Hour	\$43.00
Climber with gear	Hour	\$122.00
Saw Hand with chainsaw	Hour	\$44.00
Laborers & Flagmen	Hour	\$38.00
Public Assistance Manager	Hour	\$130.00
Documentation Clerk	Hour	\$45.00
Timekeeper	Hour	\$40.00
HazMat Professional	Hour	\$243.00
Household HazMat Inspection & Removal Crew	Hour	\$149.00
Generators from 10 KW to 300 KW		\$45.00
Materials Description	Unit	Unit Price
Fill Dirt for Stump Holes - Purchased, Placed, and Shaped	CY	\$54.00

Notes:

1. The equipment, labor and material rates shown above are for tasks requested by the **CITY OF SULPHUR**, which are not covered in the rates (per cubic yard) for normal debris removal and reduction.
2. Pricing includes operator, fuel, and maintenance.
3. The listed equipment should cover all possible equipment needs following disaster.

EXHIBIT B

**Sulphur Disaster Response Services
RFP-2018- Debris Monitoring and Management**

PRICE PROPOSAL FORM

This form is to be submitted in one (1) original form plus five (5) signed copies and placed in a sealed package clearly marked on the outside:

Price Proposal

**Sulphur Disaster Response Service
RFP-2018- Debris Monitoring and Management**

Price Proposals are to be submitted separately from the Technical Proposal; however, both Proposals may be included in the same submittal delivery package.

Hourly rates submitted below shall represent all costs, including all applicable overhead and profit and will be considered on an "as needed basis". The City of Sulphur will only reimburse eligible and allowable costs approved by FEMA.

POSITIONS	HOURLY BILLING RATES
Project Manager	\$75.00
Operations Manager	\$62.00
FEMA Coordinator	\$85.00
Scheduler	\$45.00
GIS Analyst	\$55.00
Field Supervisor	\$42.00
TDSRS Monitor	\$34.00
Environmental Specialist	\$65.00
Load Ticket Data Entry Clerk	\$ 0.00
QA/QC Inspector	\$55.00
Billing and Invoice Analyst	\$55.00
FEMA Reimbursement Manager	\$110.00
Contractor Crew Monitor	\$34.00
CUMULATIVE TOTAL HOURLY RATE	\$717.00

RFP-2018- Debris Monitoring and Management

BE IT ALSO FURTHER RESOLVED that Mayor Christopher L. Duncan is authorized to sign all paperwork in connection therewith.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 9th day of April, 2018.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

With there being no other business to come before the Council, the Chairman declared the meeting adjourned.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

4/9/18

6:25