

FEBRUARY 12, 2007

The City Council of the City of Sulphur, Louisiana, met in regular session at its regular meeting place at City Hall, Sulphur, Louisiana, on February 12, 2007, 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
MIKE KOONCE, Council Representative of District 2
CHRIS DUNCAN, Council Representative of District 3
NANCY TOWER, 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 Charles Watson, Maplewood First Baptist Church, followed by the reciting of the Pledge of Allegiance led by Mrs. Ellender.

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

The Chairman then asked if there were any changes to the agenda. Mrs. Tower removed item #8 and Mr. Duncan added 5A. Motion was then made by Mrs. Tower seconded by Mr. Moss that the agenda be changed. Motion carried.

Motion was then made by Mr. Moss seconded by Mrs. Tower that the agenda stand as changed. Motion carried.

The first item on the agenda a presentation to Volunteer of the Month of February. Mayor LeLeux presented a certificate to Oliver Schrupf.

The next item on the agenda a presentation to "Dare to be Different" for the Month of February. Mayor LeLeux presented certificates to the following students: Cade

Marcotte, Sulphur High School; Amber Ball, Sulphur High 9th Grade; Deven Domingue, W.W. Lewis Middle School; Patricia Honea, Our Lady's School; Joseph Semien, Maplewood Middle School; Rachel Sylvest, LeBlanc Middle School.

The next item on the agenda a presentation to Teachers of the Month for February. Mayor LeLeux presented certificates to the following teachers: Lori Benoit, Sulphur High School; Stephanie Reynolds, Sulphur High 9th Grade School; Terri Simpson, Maplewood Middle School; Rhonda Ney, RW Vincent Elementary.

The next item on the agenda Kim LaPointe, Systems Manager for SuddenLink, to address Council. Mrs. LaPointe addressed the Council and stated that cable prices are going up. For basic services it's increasing \$2.00 and for expanded service \$1.00. The cost of increasing is due to programming costs. She also stated that it will cost 9.2 million to rebuild Lake Charles programming to match Sulphurs. Five percent of this is passed on to the customers.

The next item on the agenda Lydia Aboagye, Customer Service Manager for Entergy to address Council. Mrs. Aboagye introduced herself to the Council and stated that if they had any questions to give her a call.

The next item on the agenda Nancy Mucluski to speak on State Finals Rodeo at West Calcasieu Community Center. Mrs. Mucluski addressed the Council and stated that the Louisiana State Finals will be held in Sulphur on February 22 – February 24 at 7:30 p.m. each night.

The next item on the agenda a resolution authorizing the extension of a six month temporary permit which allow for temporary placement of travel trailers and/or mobile

homes on residential property for living purposes during reconstruction of damages caused by Hurricane Rita for the following addresses:

Motion was made by Mrs. Tower seconded by Mr. Moss that the following 6 month extensions be granted. Motion carried.

RESOLUTION 1959, M-C SERIES

Resolution authorizing the extension of a six month temporary permit which allow for temporary placement of travel trailers and/or mobile homes on residential property for living purposes during reconstruction of damages caused by Hurricane Rita.

6 month extension granted – 401 Landry, 214 Lightening, 1413 Weekly, 931 Alice, 933 Alice, 2028 Carr #1, 1115 Elm, 719 Elm, 624 Maple, 230 Tamarack, 101 Vine, 626 Dave, 702 Live Oak, 208 E. Thomas, 221 Avilia, 227 Brimstone, 702 Live Oak, 306 Parish Road.

Motion was then made by Mr. Moss seconded by Mrs. Ellender that the following addresses receive no extension. Motion carried.

No extension granted – 206 Avilia, 906 Cass, 1302 Melanie, 1218 Sherwood, 1401 Forest, 1017 Shasta #8, 1017 Shasta #9, 3812 Maplewood Drive, 1033 Verdine, 841 Brimstone, 407 Invader, 1521 LeBlanc, 619 Stanford.

The next item on the agenda Rule to Show Cause for the condition of the following addresses:

303 Davis Street – Mr. Moss stated that the property is now locked down and is in bankruptcy. A neighbor addressed the Council and stated that in May '05 the people moved out. The house was fine until Hurricane Rita. Now there is tree damage, ceiling tiles are down, insulation and mold everywhere, termite damage and an open roof for 1 ½

years. The doors are always open and kids have been playing in the house. The neighbor also stated that with all the debris in his yard it will not drain properly.

Mrs. VanderHey stated that she has sent a letter to the mortgage company and they have not responded. Mr. Duncan stated that the shed in the back needs to be torn down and the property cleaned. Mr. Moss asked Mr. Drost if the City could do this and bill the two (2) lien holders. Mrs. Ellender stated that when a home is in bankruptcy and the bank takes it back, there is a Sheriff Sale, if the home doesn't sale at the Sheriff Sale they will put it on the market. If you have a bill it needs to go to the mortgage company for when someone does purchase the property they will know what they must pay. She also stated that we need to notify the mortgage company that we are demolishing the building and then send them the bill.

Mrs. VanderHey stated that if the Council does vote to demolish then the bill will go to the mortgage holder. With the rule pending on the main structure, motion was then made by Mr. Moss seconded by Mrs. Tower that 30 days be given to demolish the east side structure, clean the yard of all debris and secure the home. Motion carried.

Cliff DeRousel, lives across from 303 Davis, addressed the Council and stated that the logs in the ditch have been holding back water since Hurricane Rita. There is a bad sewer problem also in the house. Pallets were put across the ditch because the sewer is so bad in the ditch. House really needs to be torn down because it brings the property value down for the whole neighborhood.

321 Doiron – Mr. Duncan stated that this house has fire damage and they have received a check from the insurance company. Motion was then made by Mrs. Tower

seconded by Mrs. Ellender that the above address be demolished in 30 days. Motion carried.

1122 W. Verdine Lot #89 – Mrs. VanderHey addressed the Council and stated that there is mold everywhere in the home and bullet holes in the windows. This is in a trailer park and there is no contact number for me to call them. Mrs. Tower asked if the property owner of the land, not the trailer, has been contacted to give them the option to demolish it themselves. Mrs. VanderHey stated that the trailer park owner has not been notified, only the trailer owner. Mrs. Tower stated that with the process not being initiated with the property owner this address needs to be tabled. Motion was made by Mrs. Ellender seconded by Mrs. Tower that the above address be tabled. Motion carried.

301 E. Napoleon – Douglas Donald, owner, addressed the Council and stated that he has sealed the windows and all he has to do is paint over the windows. He will also put a 6' wooden fence in the front and pull up the weeds. Mayor LeLeux asked if he would do something with the satellites because that's a good place for rats. Motion was made by Mrs. Tower seconded by Mr. Moss that 60 days be granted for clean-up. Motion carried.

310 E. Thomas – Douglas Donald, owner, addressed the Council and stated that the man who was doing his work has left everything in a big mess and can't find him to finish his job. He left with his money without finishing the job. Mr. Duncan stated that the home needed to come down. Mr. Moss stated that this property needs to be cleaned up and quit going in circles. Motion was then made by Mr. Moss seconded by Mrs. Ellender that 30 days be granted for demolition. At this time Mrs. Tower stated that Mr. Donald had 30 full days to get the wood off the house if he wanted it and to find the contractor who took his money. At this time Mr. Moss called for the question. Mrs.

Tower stated that she would like to continue the discussion. Mrs. Tower then stated to Mr. Donald that she didn't think he was going to fix this building. She thought he was going to demolish it from the very beginning. Mr. Duncan then stated that there was a motion to call for the question and asked if there was a second. With Mrs. Ellender seconding Mr. Moss' motion to call for the question, a vote was then called for the call for the question. Motion carried.

Roll was then called for the 30 day demolition. Motion carried.

1039 Live Oak Lot E – Mrs. VanderHey stated that she has sent the letter to the property owner, not the trailer owner. The owner addressed the Council and asked for 60 days to tear it down. He stated that he will secure the property until he tears it down. FEMA was suppose to take this trailer but the City never condemned it. Motion was then made by Mrs. Ellender seconded by Mrs. Tower that 60 days be granted. Motion carried.

607 Cass – Mrs. Ellender stated that the owner said she was making repairs but Mrs. Ellender has not seen any improvement in a long time. No one lives in the trailer and she's using it for storage. Motion was made by Mrs. Ellender seconded by Mr. Moss that this address be demolished. Motion carried.

2525 St. Francis – Mrs. Tower stated that this house was severely damaged from Hurricane Rita. FEMA tore the house down and had numbered the barn/storage building as if they were going to tear it down. FEMA told Mr. Alshire that he had too much equipment in the building to tear it down. Mr. Alshire stated that there is part of a new metal roof on the building. Everyone wants to tear down everything. He doesn't waste anything, he salvaged enough material to brace his carport when he puts it back up. He can't do it overnight though. He thought he had until October, 2007 to finish everything.

Mrs. Tower stated that she's never heard that date. She then asked Mr. Alshire if he had a permit for the work that he's doing, especially the structural work. Mr. Alshire stated that he didn't need a permit for repairing and disassembling. Mrs. Tower stated that the Council needed to set a timeframe so they can see some continuous work. She then stated that he did need a permit for the work he is doing. Mr. Alshire stated that everytime he turns around the city is asking for money. Mrs. Tower stated that the reason for the permit was for our inspectors to go out and evaluate to make sure you are meeting our city codes. Motion was then made by Mrs. Tower seconded by Mr. Moss that this address be reset for 60 days.

At this time Mr. Barry stated that he cannot issue a permit for a short period of time. A permit is good for the length of time they need to make the repairs. Mrs. Tower then stated that the Council has been doing this on the Rule to Show Causes and Administration would need to work this part of it out.

At this time Mr. Duncan stated that he will need to abstain from voting due to past business relationship with Mr. Alshire.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mrs. Tower, Mr. Moss

NAYS: None

ABSENT: None

ABSTAIN: Mr. Duncan

And the above address was declared reset for 60 days.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a public hearing on ordinance allowing Wayne Smith, 1513 LeBlance Street, to rezone from Residential District to Mixed Residential District to allow for a duplex. Motion was made by Mr. Koonce seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 758, M-C SERIES

AN ORDINANCE GRANTING A RE-ZONE FROM RESIDENTIAL DISTRICT TO MIXED RESIDENTIAL DISTRICT OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR, LOUISIANA, TO WAYNE SMITH, 1513 LEBLANC STREET, SULPHUR, LOUISIANA.

WHEREAS, the following described property located in the City of Sulphur, State of Louisiana, being rezoned from Residential District to Mixed Residential District is owned by Wayne Smith, to-wit:

Commencing at a point which is 632 Feet West of the Southeast Corner of Lot 69 of the Third subdivision of Sulphur Farms in Section 2 Township 10 South, Range 10 West, thence West 98 feet; Thence North 174.9 feet; Thence East 98 feet; Thence South 174.9 feet to the point of commencement. Subject to public road right way in South side.

WHEREAS, improvements on the property will include a duplex.

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

The Land Use Ordinance of the City of Sulphur is hereby amended to grant a re-zone from Residential District to Mixed Residential District to Wayne Smith, 1513 LeBlanc Street, for the following described property to wit:

Commencing at a point which is 632 Feet West of the Southeast Corner of Lot 69 of the Third subdivision of Sulphur Farms in Section 2 Township 10 South, Range 10 West, thence West 98 feet; Thence North 174.9 feet; Thence East 98 feet; Thence South 174.9 feet to the point of commencement. Subject to public road right way in South side.

This re-zone is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said re-zone 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 re-zone, 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.

That the owner of this re-zone 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 re-zone shall be withdrawn and considered null and void.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon Mayor's signature.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 12th day of February, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a public hearing on ordinance amending Article III, Part I, Section 1 (1) of the Land Use Ordinance to set terms of Commission. Motion was made by Mr. Moss seconded by Mrs. Tower that the following ordinance be adopted to-wit:

ORDINANCE NO. 759, M-C SERIES

ORDINANCE AMENDING ARTICLE III, PART I, SECTION 1 (1) OF THE LAND USE ORDINANCE TO SET TERMS OF COMMISSION.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Article III, Part I, Section 1 (1) of the Land Use Ordinance to read as follows:

(1) Membership

- (a) The Land Use Planning Commission of the City of Sulphur shall be appointed by the Sulphur City Council. This commission shall consist of (5) five members with each Councilman appointing (1) one person from their district. These terms shall run concurrent with the Sulphur City Council.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 12th day of February, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a public hearing on ordinance amending Article IV, Part 3, Section 4 Business District of the Land Use Ordinance of the City of Sulphur. Troy Darby, Land Use Commission member, stated that there are some areas in town that are zoned Business but really should be zoned Light Industrial. It's too broad of a classification. The Land Use Commission is trying to narrow it down so not just anyone can move in. If zoning is going to work in Sulphur this needs to be broadened. The Parish has approximately 15 different classifications. Sulphur doesn't need that many but do need a few more. We need to represent what the people want. We don't want to put a bar in someone's back yard. Bars and that type of business should only be in a certain classification. Mr. Gerrit Lawrence, Land Use Commission member, stated that this is

just the base frame work from what they plan on doing. We need this set in place so we can put our definitions and tiers in place. The tiers will break down individually what should be within what the Council is voting on tonight. Motion was made by Mr. Moss seconded by Mrs. Tower that the following ordinance be adopted to-wit:

ORDINANCE NO. 760, M-C SERIES

ORDINANCE AMENDING ARTICLE IV, PART 3, SECTION 4 BUSINESS DISTRICT OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Article IV, Part 3, Section 4 to read as follows:

Section 4

BUSINESS DISTRICT (B)

(1) Purpose:

This district is intended to provide an area of general commerce devoted to a healthy economic environment while minimizing impacts on more fragile areas.

(2) Permitted Uses:

- (a) All uses as permitted in residential, mixed residential and mobile home land use classifications
- (b) General retail sales - service establishments
- (c) Offices
- (d) Financial institutions
- (e) Restaurants (sit down, drive through & drive in)
- (f) Entertainment. (Establishments whose gross receipts for the sale of alcoholic beverages constitute less than 50% of their overall gross receipts)

(3) Development Standards

(a) No front foot dimension of a lot shall be less than 50 feet. The total area of a lot shall not be less than 6,000 square feet.

(1) Exception. No front foot dimension of any lot in a cul-de-sac shall be less than 30 feet and a total area of a lot shall not be less than 10,000 square feet. In a cul-de-sac with a front foot of 50 feet or more the lot shall not be exempt from the requirement of (b) of Article IV, Part 3, Section 4 (3).

(b) All development in the Business District shall conform to the development standards set out in the following table:

Distance measured from front, side and rear of structure shall measured from the overhang/eve of the structure.

<u>USE</u>	<u>DENSITY</u>	<u>LOT SIZE</u>	<u>FRONT</u>	<u>SIDE</u>	<u>REAR</u>	<u>HEIGHT</u>
Single family	7 du/a	6000 sf	20 ft	5 ft	10 ft	35 ft
Multi-Family	18 du/a	6000 sf	20 ft	5 ft	10 ft	50 ft
Retail & Service	FAR .5	5000 sf	20 ft	5 ft	10 ft	50 ft
Offices, Restaur.& Entert.	FAR 1	5000 sf	20 ft	5 ft	10 ft	50 ft
Wholesaling, warehousing, light-manufacturing Inst. & Public Use	FAR 1	10000 sf	20 ft	5 ft	10 ft	50 ft
Hotels & Motels	FAR 1	25000 sf	20 ft	5 ft	10 ft	50 ft
Schools, Churches,						

Kennels	-----	10000 sf	20 ft	5 ft	10 ft	50 ft
Bars	FAR 1	5000 sf	20 ft	5 ft	10 ft	50 ft
Rec. Facil.	FAR .5	10000 sf	20 ft	5 ft	10 ft	50 ft

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 12th day of February, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a public hearing on ordinance amending Article IV, Part 3, Section 5 of the Land Use Ordinance of the City of Sulphur. Motion was made by Mrs. Tower seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 761, M-C SERIES

ORDINANCE AMENDING ARTICLE IV, PART 3, SECTION 5 OF THE
LAND USE ORDINANCE OF THE CITY OF SULPHUR.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana the governing authority thereof, that they do hereby amend Article IV, Part 3, Section 5 to read as follows:

Section 5 COMMERCIAL DISTRICT (C)

(1) Purpose:

This district is intended to provide an area of commercial activity devoted to a healthy economic development while managing impact on more fragile areas.

(2) Permitted Uses:

(a) All uses as permitted in business district classification except

single family detached residence.

- (b) Kennels
- (c) Hotels & motels
- (d) Recreational facilities
- (e) Light manufacturing, wholesaling and warehousing
- (f) Institutions
- (g) Bars (Only on Major Arterial Streets and Interstate Highways)
- (h) Entertainment (Establishment whose gross receipts for the sale of alcoholic beverages constitutes 50% or more of their overall gross receipts) (On Major Arterial Streets and Interstate Highways)

(3) Development Standards

(a) No front foot dimension of a lot shall be less than 50 feet. The total area of a lot shall not be less than 6,000 square feet.

(2) Exception. No front foot dimension of any lot in a cul-de-sac shall be less than 30 feet and a total area of a lot shall not be less than 10,000 square feet. In a cul-de-sac with a front foot of 50 feet or more the lot shall not be exempt from the requirement of (b) of Article IV, Part 3, Section 5 (3).

(b) All development in the Commercial District shall conform to the development standards set out in the following table:

Distance measured from front, side and rear of structure shall measured from the overhang/eve of the structure.

<u>USE</u>	<u>DENSITY</u>	<u>LOT SIZE</u>	<u>FRONT</u>	<u>SIDE</u>	<u>REAR</u>	<u>HEIGHT</u>
Multi-Family	18 du/a	6000 sf	20 ft	5 ft	10 ft	50 ft
Retail &						

Service	FAR .5	5000 sf	20 ft	5 ft	10 ft	50 ft
Offices, Restaur.& Entert.	FAR 1	5000 sf	20 ft	5 ft	10 ft	50 ft
Wholesaling, warehousing, light-manufacturing Inst. & Public Use	FAR 1	10000 sf	20 ft	5 ft	10 ft	50 ft
Hotels & Motels	FAR 1	25000 sf	20 ft	5 ft	10 ft	50 ft
Schools, Churches, Kennels	-----	10000 sf	20 ft	5 ft	10 ft	50 ft
Bars	FAR 1	5000 sf	20 ft	5 ft	10 ft	50 ft
Rec. Facil.	FAR .5	10000 sf	20 ft	5 ft	10 ft	50 ft

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 12th day of February, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a public hearing on ordinance amending the Land Use Ordinance of the City of Sulphur, Louisiana, to provide for Article IV, Part 3, Section 6 –

Industrial District. Motion was made by Mr. Moss seconded by Mrs. Ellender that the following ordinance be adopted to-wit:

ORDINANCE NO. 762, M-C SERIES

ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE CITY OF SULPHUR, LOUISIANA, TO PROVIDE FOR ARTICLE IV, PART 3, SECTION 6 – INDUSTRIAL DISTRICT.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend the Land Use Ordinance to provide for Article IV, Part 3, Section 6 – Industrial District to read as follows:

Section 6 INDUSTRIAL DISTRICT

(1) Purpose

To provide an area suitable for the development of intense commercial and manufacturing uses and to limit uses in the district to those which are tolerant of increased levels of noise, traffic, odor, particular matter and other activities excluding those uses prohibited by law.

(2) Permitted Uses

- (a) All uses as permitted in Business District (B) land use classification except single family detached, multi-family, mobile home and schools.
- (b) Airports
- (c) General industrial uses
- (d) Agriculture

(3) Non-Permitted Uses

- (a) Hazardous waste disposal facilities
- (b) Solid waste disposal facilities
- (c) Heavy industry 24 hour manufacturing facility except in developed industrial parks.

(4) Development Standards

(a) No front foot dimension of a lot shall be less than 50 feet. The total area of a lot shall not be less than 6,000 square feet.

(1) Exception. No front foot dimension of any lot in a cul-de-sac shall be less than 30 feet and a total area of a lot shall not be less than 10,000 square feet. In a cul-de-sac with a front foot of 50 feet or more the lot shall not be exempt from the requirement of (a) of Article IV, Part 3, Section 6 (4).

(b) All development in the Industrial District shall conform to the development standards set out in the following table:

<u>USE</u>	<u>DENSITY</u>	<u>LOT SIZE</u>	<u>FRONT</u>	<u>SIDE</u>	<u>REAR</u>	<u>HEIGHT</u>
Retail & Service	FAR .5	5000 sf	20 ft	5 ft	10 ft	50 ft
Offices, Restaur.& Entert.	FAR 1	5000 sf	20 ft	5 ft	10 ft	50 ft
Wholesaling, warehousing, light-manufacturing Inst. & Public Use	FAR 1	10000 sf	20 ft	5 ft	10 ft	50 ft
Hotels & Motels	FAR 1	25000 sf	20 ft	5 ft	10 ft	50 ft
Kennels	-----	10000 sf	20 ft	5 ft	10 ft	50 ft
Rec. Facil.	FAR .5	10000 sf	20 ft	5 ft	10 ft	50 ft
Airport						
General						

AN ORDINANCE AMENDING AND RE-ADOPTING THE GENERAL FUND BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2007. (LIMB GRABBER).

A public hearing on said ordinance will be held at 5:30 p.m. on the 12th day of March, 2007, at City Hall in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____
CHRISTOPHER L. DUNCAN, Chairman

Motion carried.

The next item on the agenda an introduction of ordinance accepting Preliminary Plans for Frenchman's Creek Subdivision. Mr. Broussard addressed the Council and stated that he was representing the Sulphur Housing Authority. This subdivision meets all requirements with the subdivision ordinance. He has not heard any opposition from W.W. Lewis School. There will be a 6' wooden fence between the subdivision and the school. All lots will be for homes for the exception of lot #41 which is for the administrative office. There will be a mixture of housing with 60% for low income. The project will probably start around August and be complete within 1 year. Motion was then made by Mrs. Tower seconded by Mr. Moss to amend the ordinance to add the words "Phase I". Motion carried.

Motion was then made by Mrs. Tower seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE ACCEPTING PRELIMINARY PLANS FOR FRENCHMAN'S CREEK SUBDIVISION PHASE I.

Motion was then made by Mrs. Tower seconded by Mr. Moss 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 ACCEPTING PRELIMINARY PLANS FOR FRENCHMAN’S CREEK SUBDIVISION PHASE I.

A public hearing on said ordinance will be held at 5:30 p.m. on the 12th day of March, 2007, at City Hall in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

CHRISTOPHER L. DUNCAN, Chairman

Motion carried.

The next item on the agenda a resolution requesting an Attorney General’s Opinion regarding the legality of the Photo Speed Enforcement Program and Photo Red Light Enforcement Program. Mrs. Tower stated that she would like the opinion to see if it’s legal to consider such tools for our police officers. Mrs. Ellender stated that there will be no cost to the city for these cameras. Mayor LeLeux stated that he couldn’t understand why the Council is asking for this opinion because Lafayette is already enforcing their ordinance along with other big entities in Louisiana. Our city has gone through a lot with this already. Worst case would be if it is illegal the company that installed the cameras would just take them down.

Mr. Koonce asked if Lafayette received an Attorney General’s Opinion regarding the red light enforcement. Mr. Duncan stated that the only opinions that were done were

from two (2) outside law firms. Mr. Koonce stated that the Council should be able to see those opinions. Mr. Duncan stated that neither one will release the total opinion. They will give a briefing on it but not the total opinion. Mrs. Tower stated that the one brief that she's seen said to get an Attorney General's Opinion. Mr. Drost stated that he does have their complete opinions and they are very well done researches. They go through every issue possibly imaginable. The City of Lafayette is very comfortable that it is legal. They gave me their research as a courtesy. It is their product and he would have to get Lafayette's approval to disseminate it.

CJ Vincent, 435 Logan Street, addressed the Council and quoted state laws from Iowa and Texas. He then quoted 32:365 (B) from Louisiana state law saying that Sulphur law enforcement cannot use video cameras and/or monitoring equipment to video traffic violations with that citation to be mailed at a later date. He feels that if trained law enforcement officers can't do it, then how can a private individual do it?

Mr. Drost then stated that he has seen the report that CJ Vincent has but it has nothing to do with what the City of Lafayette has adopted. This is all Louisiana research, not other states. Mr. Koonce then stated that an Attorney General's Opinion won't hurt anything, if anything it will give the City more ground to stand on.

Motion was made by Mrs. Tower seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 1960, M-C SERIES

Resolution requesting an Attorney General's Opinion regarding the legality of the Photo Speed Enforcement Program and Photo Red Light Enforcement Program.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby request an Attorney General's Opinion

regarding the legality of the Photo Speed Enforcement Program and Photo Red Light Enforcement Program. (see attached)

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: Mrs. Ellender

ABSENT: None

And the said resolution was declared duly adopted on this 12th day of February, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a resolution repealing Resolution No. 1940 which concerns hearing public input at City Council meetings. Mrs. Ellender asked if someone had mentioned that they would sue the city if we wouldn't repeal this resolution. Mr. Duncan stated that in our Home Rule Charter it states that we have to let people speak prior to any action being taken by the Council. After Mrs. Tower read the section of the Charter that pertains to public speaking, Mrs. Ellender stated that the Council has never denied anyone from speaking. Mrs. Tower stated, yes they have. Mr. Duncan then stated that in the original draft it stated that they could only talk at public hearings and not on resolutions or introductions. Tom Boggan, 1206 Georgia Street, addressed the Council and stated that in the newspaper it stated that the Council would only allow 3 people to speak on each side of any problem that came up. According to the City Charter, you can limit the time but you can't limit the people. After discussion, motion was made by Mrs. Tower seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 1961, M-C SERIES

Resolution repealing Resolution No. 1940, M-C Series which concerns hearing public input at City Council meetings.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby repeal Resolution No. 1940, M-C Series which was adopted by the City Council on November 13, 2006.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss
NAYS: None
ABSENT: None

And the said resolution was declared duly adopted on this 12th day of February, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a resolution requesting an Attorney General's Opinion regarding the appointment of board member to the West Calcasieu Community Center Authority. Motion was made by Mr. Koonce seconded by Mrs. Tower to send the letter that Mrs. Tower drafted to the Attorney General. Mayor LeLeux stated that he read all the letters and in Nancy's letter she didn't mention where the Council voted on the resolution. The first resolution the Council voted on was defeated 2-3. If the Council sends her letter, this is not how it happened. Mr. Drost stated that in his letter he stated exactly what happened and how it happened. Mr. Koonce stated that he wanted to know if it was correct when Mr. Drost told Mr. Koonce that he had to withdraw his motion in order to vote on Mr. Kinney. Mr. Drost stated that Mr. Koonce did have to withdraw his motion because Mr. Koonce's motion was to vote on Mr. Kinney but Mr. Kinney's name was not on the resolution to be voted on Mr. Gregory's name was on the resolution. First,

Mr. Koonce should have amended the resolution (that had Richey Gregory's name on it) and replace it with Mr. Kinney's name. Then the Council could have voted on it.

Mrs. Tower stated that when the agenda was a public notice it did not have a name on it. When we showed up at the meeting the resolution had a name on it. We should have been voting on a resolution with a blank for the name because that's the way it was advertised. She also stated that she was fine with Mr. Drost's review of the letter but it was missing a few key points. She wants to add the public notice that appeared in the newspaper. Mr. Koonce also added that he would like to see the video be sent with this also.

At this time Mr. Koonce and Mrs. Tower withdrew their motion and second to send Mrs. Tower's letter.

Motion was then made by Mr. Koonce seconded by Mrs. Tower to amend the letter to add the following attachments – copy of video, public notice. Motion carried.

Motion was then made by Mr. Koonce seconded by Mrs. Tower that the following resolution be adopted to-wit:

RESOLUTION NO. 1962, M-C SERIES

Resolution requesting an Attorney General's Opinion regarding the appointment of board member to the West Calcasieu Community Center Authority.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby request an Attorney General's Opinion regarding the appointment of board member to the West Calcasieu Community Center Authority. (see attached)

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 12th day of February, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a resolution authorizing the advertisement of bids for a vehicle for the Mayor. Motion was made by Mrs. Tower seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 1963, M-C SERIES

Resolution authorizing the advertisement of bids for a vehicle for the Mayor.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize the advertisement of bids for a vehicle for the Mayor, said bids to be in accordance with the quantities and specifications on file with City of Sulphur Purchasing Department.

BE IT FURTHER RESOLVED that the advertisement of bids will be in "The Southwest Daily News, the official journal of the City of Sulphur, in three separate publications, giving notice as follows:

NOTICE TO BIDDERS

Separate and sealed bids for a vehicle for the Mayor will be received by the Clerk of the Council until 10:00 a.m. on the 6th day of March, 2007, at which time bids will be opened and read aloud in an open and public bid opening session to be conducted by the Director of Finance in the Conference Room at the City Hall, and shall be awarded at a regular meeting on the 12th day of March, 2007 at 5:30 p.m.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 12th day of February, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a resolution awarding low bid received for Jail Security Cameras and Recorders. Motion was made by Mr. Moss seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 1964, M-C SERIES

Resolution awarding low bid received for Jail Security Cameras and Recorders.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for Jail Security Cameras and Recorders were opened and read aloud in an open and public bid session on Monday January 29, 2007 at 10:00 a.m., and the bids were as follows:

<u>COMPANY</u>	<u>BID</u>
Kay Communications	\$46,015.00
Louisiana Radio	\$71,000.00

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Ron LeLeux and award the bid for the Jail Security Cameras and Recorders as follows:

<u>COMPANY</u>	<u>BID</u>
Kay Communications	\$46,015.00

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss
NAYS: None
ABSENT: None

And the said resolution was declared duly adopted on this 12th day of February, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a resolution concerning the City Council's interest in voluntary recycling efforts. Mrs. Tower stated that she is in support of recycling and has asked administration to investigate options for voluntary paper recycling at City Hall and throughout the city. Donna Oppenheim addressed the Council and stated that this is a positive first step in recycling and she was in favor of this resolution. Steven Reas addressed the Council and held a stack of papers that he collected for 1 month and it weighed 75 lbs. If you add 7,500 households for one (1) month that equals to nine (9) tons.

Nick Stanbro, Regional Manager of Recycling Services Inc, in Alexandria, addressed the Council and stated that they have approximately 250 recycling bins in Lake Charles and about 50 in Sulphur. These are at no charge to anyone. They pick up the paper either weekly or biweekly. If anyone wants a recycling bin or has any questions they can call him at 494-7470.

Motion was made by Mrs. Tower seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 1965, M-C SERIES

Resolution concerning the City Council's interest in voluntary recycling efforts.

WHEREAS, the City of Sulphur is supportive of recycling efforts; and

WHEREAS, voluntary paper recycling is available at no cost; and

WHEREAS, the city business generates recyclable paper; and

WHEREAS, voluntary recycling bins can easily be placed around the city for residents to use,

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that the administration is hereby directed to investigate options for voluntary paper recycling at City Hall and throughout the city.

BE IT FURTHER RESOLVED that such options should be at no cost to the city or citizens and that such options should be enacted or presented to the City Council by the April 2007 Council meeting.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 12th day of February, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda Action to override Mayor's veto on Ordinance No. 755, M-C Series concerning the paving of Arena Road. After discussion, motion was made by Mr. Moss seconded by Mrs. Ellender that the following vote to override the Mayor's veto on the below ordinance is as follows:

AN ORDINANCE AMENDING AND RE-ADOPTING THE GENERAL
FUND BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2007.
(ARENA ROAD PAVING)

A vote was then called with the results as follows:

YEAS: Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: Mrs. Ellender, Mr. Koonce

ABSENT: None

And the said override on the Mayor's veto failed on this 12th day of February, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a discussion concerning Sulphur City Council Youth Advisory Commission. Mr. Duncan stated that this will get our youth involved in the city and he would like it placed on next months agenda. Different things that they can get involved in is our Council meetings, the school achievement award program that will soon start, etc.

The next item on the agenda a discussion concerning the intermunicipal agreement with the City of Westlake for wastewater transport and treatment services. Mr. Duncan stated that the contract with Westlake expired in November, 2006. Mayor LeLeux stated that the administration has had a meeting with Westlake's new Mayor and they discussed the new contract. Mayor LeLeux will present the new contract to the Council before the next budget year.

The next item on the agenda a discussion concerning addresses on houses. Mrs. Tower stated that there are a high number of homes that are not visibly marked with house numbers. This is an ordinance violation. She would like to see the media get the word out so the city doesn't have to send out so many registered letters. The house numbers need to be 3" x 2" in size.

The next item on the agenda Public to Address Council. Marvin Paggen, Laura Street, addressed the Council and stated that he has a problem with trash pickup and drainage. The garbage is not picked up on our regular scheduled days. We don't have a system here. He also stated that he called in a water leak last July and it still isn't fixed. It's at the corner of Forest and Charles Street. When he calls in, there's always a problem, either they lost the order or they're waiting for a permit to dig. On June 19th when our

neighborhood flooded it was on NBC news. Why is everyone flooding? Something needs to be done.

Mr. Wallace, Woodland Terrace, addressed the Council and stated that he's been to the Council meeting three (3) times and the drains still aren't cleaned up. He hasn't heard from anyone from the City regarding getting these cleaned up. Dick Ackel ditch is all stopped up and needs major cleaning.

Bill LeBlanc, Roberta Drive, addressed the Council and asked if there was a way to compromise on Arena Road. This is a good thing for the city. Don't shut the whole project down because there's no compromise.

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

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

2/12/07
8:40 P.M.