

MARCH 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 March 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 Rev. Heather Leyland, 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 Mr. Moss seconded by Mr. Koonce that the minutes stand as written. Motion carried.

The Chairman then asked if there were any changes to the agenda. Mr. Duncan added #24 and #26. Mrs. Tower amended #15 from abolishing the ordinance to amending it and moved #15 to 4A. She also removed #16 and moved 29 to 4B. With all these changes made, motion was then made by Mrs. Tower seconded by Mr. Moss that these changes be accepted. Motion carried. Motion was then made by Mrs. Tower seconded by Mr. Moss that the agenda stand as changed. Motion carried.

The first item on the agenda a presentation to Volunteer of the Month of March. Mayor LeLeux presented a certificate to Veronica Allen.

The next item on the agenda a presentation to “Dare to be Different” for the Month of March. Mayor LeLeux presented certificates to the following students: Sulphur High School, Leah LaFleur; Sulphur High School 9th Grade, Kai Ackley; LeBlanc Middle School, Nick Ledger; Our Lady’s School, Andrew Perry; W.W. Lewis Middle School, Brandy LeMaire; Maplewood Middle School, Kennedy Landry.

The next item on the agenda a presentation to Teachers of the Month for March. Mayor LeLeux presented certificates to the following teachers: Sulphur High School, Craig Moss; Sulphur High School 9th Grade, Darlyne Allain; LeBlanc Middle School, Tammy Gothrup; R.W. Vincent Elementary, Janet Ritchie.

The next item on the agenda Sam Larsh to address Council regarding the Acrobatic Air Show. Mr. Larsh addressed the Council and stated that the air show will be held April 13th and 14th. This is the 5th time it will be held in Louisiana and the 1st time in Sulphur. There will also be approximately 40-50 aircrafts performing.

The next item on the agenda an introduction of ordinance amending Ordinance No. 665, M-C Series – No Smoking. Mr. Duncan stated that the city’s ordinance will be amended to match the state’s fine. In the city’s ordinance it addresses how far someone has to be from an entrance or window when smoking, the state’s ordinance doesn’t. We will combine the two ordinances to make one good ordinance. Mr. Duncan also asked Mr. Dupre, Fire Chief and Mr. Abrahams, Police Chief, if they would get together to see who would enforce this ordinance. After discussion, motion was made by Mrs. Tower seconded by Mr. Koonce that the following ordinance be introduced:

ORDINANCE AMENDING ORDINANCE NO. 665, M-C SERIES OF THE CITY OF SULPHUR – NO SMOKING ORDINANCE.

Motion was then made by Mrs. Tower seconded by Mr. Koonce 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 AMENDING ORDINANCE NO. 665, M-C SERIES OF THE CITY OF SULPHUR – NO SMOKING ORDINANCE.

A public hearing on said ordinance will be held at 5:30 p.m. on the 9th day of April, 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 discussion concerning trash ordinance violations and enforcement. Mrs. Tower stated that there are some concerns on Poplar Street regarding a group home with trash problems. Hilda Trahan, Executive Director of the group home, addressed the Council and stated that she received the letter from the city. They have received new cans last week and they are paying for 2 pickups per week. The problem is BFI picks up the trash twice a week but the 2 pick-ups are always on the same

day. Mr. Moss stated that the cans are being overflowed and they are not being bagged and tied. No one from this facility is taking care of the problem. Mrs. Trahan stated that they spent one hour picking up all the trash last week. Mr. Moss stated that this was not just a one time occurrence. This is on a weekly basis. Mr. Trahan stated that they've received the new cans and have addressed the two times a week pick-up with BFI.

Mayor LeLeux stated that the neighbors are complaining because they are being cussed out. The police department has gotten disturbance calls at this facility because of all the racket. Mrs. Trahan stated that she did not know about all this but wants someone from the city to call her when something like this happens. Mrs. Tower stated that all the trash cans down this road have been placed on one side of the road because the truck doesn't have a place to turn around. Everyone can now put their own trash cans in their yards and BFI will pick-up on both sides of the road. Mr. Moss asked Mrs. Trahan how needles are disposed. Mrs. Trahan stated that a company picks up that kind of stuff.

A resident of Poplar Street addressed the Council and stated that they have been fighting this problem for months. They have never seen a worker put the trash out, it is always one of the residents that live there. This lady is much too short to be putting the trash out because she can't reach the top of the trash can. She almost got run over one day because a car didn't see her behind the trash can. There are diapers, personal female items, etc. all over the ground and one day approximately 5-6 workers showed up to work and they just stepped right over all the trash. They didn't even bother to pick it up or have someone pick it up. The noise and cussing at all hours of the night is unreal at times.

Martha Monceaux, next door neighbor to this facility, addressed the Council and stated that they don't tie their bags and the workers don't put the trash out, the residents

of this facility do. During their shift change in the middle of the night the workers are hollering and blowing their horns to pick someone up. Sometimes there are at least 8 cars parked there. Mr. Moss asked Mrs. Trahan who should put the trash out, the workers or the residents? Mr. Trahan stated that the workers should put it out, not the people living there.

The next item on the agenda a resolution authorizing the extension of a six month temporary permit which allows 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 address:

Motion was made by Mrs. Tower seconded by Mr. Moss that the following addresses be granted a 30 day extension: 228 Hazel, 411 Irwin, 708 Huntington, 1109 N. Huntington. Motion carried.

Motion was then made by Mr. Moss seconded by Mrs. Tower that the following address be granted a 3 month extension: 1010 East Kent. Motion carried.

Motion was then made by Mrs. Tower seconded by Mr. Moss that the following addresses be granted a 6 month extension: 1101 Elm, 458 Brimstone, 531 North Crocker, 2005 Post Oak, 919 Platt, 1102 Alvin, 989 Beulah. Motion carried.

Motion was then made by Mr. Moss seconded by Mr. Koonce that no extension be granted for the following addresses: 133 Roberta Drive, 402 Garrett, 1130 Huntington, 2024 Carr Lane #16. Motion carried.

The next item on the agenda a Rule to Show Cause for the condition of the following addresses: 1019 Mathew Street – Mr. Duncan stated that the owners do have a Buy/Sell Agreement to sell the house. Mr. Duncan stated that he would have to abstain

from voting due to the owner being one of his clients. Motion was then made by Mr. Moss seconded by Mrs. Ellender that the owner be given 60 days to settle the closing. Motion carried.

106 Hazel Street – Mrs. Alexander, owner, addressed the Council and stated that she was in the process of packing everything. She is going on vacation next week and plans on showing the house to potential buyers. Mrs. Tower stated that she hasn't seen any action on this home since the hurricane. Mrs. VanderHey, Ordinance Enforcement, stated that the yard has got to be cleaned as soon as possible and the part of the house that has been added-on needs to come down also. Mrs. Tower stated that if Mrs. Alexander doesn't clean this up, the city will clean it and charge her for it. Motion was then made by Mrs. Tower seconded by Mr. Koonce that this address be given three months with the yard cleaned as soon as possible no later than one week from today. Motion carried.

The next item on the agenda a presentation of audit for Fiscal Year ending June 30, 2006 and Resolution accepting said audit. Steve DeRouen, audit partner for Broussard and Company CPAs, gave a brief report on the 66 page audit report. He stated that the qualified opinion on the primary government financial statements - the qualification was due to detailed depreciation records were not reconciled to the financial statements. This has been discussed with Administration and will be corrected in the next fiscal year. Also, there were 4 reportable conditions – the review processes and internal controls and reconciling items to the financial statements need to be strengthened. All these details were discussed with administration and are on track to rectify these conditions. (see pages 62-64 of audit). The total asset for the city is \$122 million. The majority is fixed assets, such as infrastructure, roads, drainage, buildings and equipment

which represent \$80 million of the \$122 million. Cash and investments represents \$38.5 million.

The debt of the city at the end of the year was \$25.5 million which is up 11.5 million from the prior year due to the sewer rehab debt that was issued. If you subtract the debt from the assets that leaves approximately 96.5 million of net assets for the city which leaves the city in excellent financial shape. After the report was given, motion was made by Mrs. Tower seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 1966, M-C SERIES

Resolution accepting audit for fiscal year ending June 30, 2006.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept audit for fiscal year ending June 30, 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 March, 2007.

ATTEST:

ARLENE BLANCNARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a public hearing on ordinance allow Tony Palermo Sr., and Palermo Co. to rezone property behind Boiling Point Restaurant on Beglis Parkway from Residential District to Commercial District. Mrs. Tower stated that she would like to postpone indefinitely due to the water shed problem and the right-of-way

with the state has not be addressed. Motion was made by Mrs. Tower seconded by Mr. Moss that the following ordinance be tabled indefinitely:

AN ORDINANCE GRANTING A RE-ZONE FROM RESIDENTIAL DISTRICT TO COMMERCIAL DISTRICT OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR, LOUISIANA, TO TONY PALERMO SR., AND PALERMO CO., (PROPERTY BEHIND BOILING POINT RESTAURANT ON BEGLIS PARKWAY).

Motion carried.

The next item on the agenda is a public hearing on ordinance adopting the Certificate Ordinance for Quince Street paving project. Jay Delafied, Bonding Attorney, addressed the Council and stated that he worked out a deal with Chase Bank with an interest rate of 5.75%. Motion was made by Mrs. Tower seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 763, M-C SERIES

AN ORDINANCE AUTHORIZING ISSUANCE, EXECUTION, NEGOTIATION, SALE AND DELIVERY OF \$54,692.80 CITY OF SULPHUR, LOUISIANA PAVING CERTIFICATES (QUINCE STREET PROJECT) SERIES 2007-1, PRESCRIBING THE FORM AND FIXING THE DETAILS THEREOF; PROVIDING FOR THE SECURITY AND PAYMENT OF SAID PAVING CERTIFICATES IN PRINCIPAL AND INTEREST; AND CERTAIN OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, on the 11th day of December, 2006, the City Council, governing authority of the City of Sulphur, Louisiana (the "City"), in compliance with the pertinent provisions of Subpart A, Part I, Chapter 7 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (the "Act"), and all laws pertaining to the same subject matter, adopted Local Assessment Ordinance No. 741, M-C Series, which Ordinance was published, and was filed for record on December 14, 2006, bearing Clerk's File No. 5787364, recorded in Mortgage Book 3270, page 283, Records of Calcasieu Parish, Louisiana, all in the manner provided for by law, said Ordinance levying a local or special assessment in the total amount of EIGHTY-THREE THOUSAND THREE HUNDRED SIXTY-TWO AND 42/100 (\$83,362.42) DOLLARS to cover the cost of constructing paying improvements along the following street situated in the City of Sulphur, Louisiana, to-wit:

QUINCE STREET, in its entirety

WHEREAS, pursuant to the pertinent provisions of the Act, the City may issue, execute, negotiate, sell and deliver negotiable interest bearing registered certificates of the City in an amount not exceeding the total amount of the installments or deferred payments as provided for in the Act; and

WHEREAS, the balance due and owing of the total project cost is **FIFTY-FOUR THOUSAND SIX HUNDRED NINETY-TWO AND 80/100 (\$54,692.80) DOLLARS**; and

WHEREAS, the City obtained approval from the Louisiana State Bond Commission on January 18, 2006, for issuance, sale and delivery of not to exceed **EIGHTY-THREE THOUSAND THREE HUNDRED SIXTY-TWO AND 42/100 (\$83,362.42) DOLLARS** of interest bearing Paving Certificates of the City, to provide funds for improvements to the street as set forth above, to be payable from and secured by the irrevocable pledge and dedication of the funds to be derived from the levying and collection of a local or special assessment on each lot or parcel of real estate fronting on the streets to be improved, in the proportion that its front footage bears to the total front footage to be assessed; and

WHEREAS, sealed bids for purchase of the Certificates were solicited by Notice of Certificate Sale published in the *Southwest Daily News* on January 31, 2007, and also in the *Daily Journal of Commerce* on January 31, 2007; and

WHEREAS, on February 12, 2007, no bids were received for purchase of the Certificates; and

WHEREAS, sale of the Certificates has been negotiated with JPMorgan Chase Bank, N.A., at an interest rate of 5.75%;

NOW, THEREFORE, BE IT ORDAINED by the City Council, as the governing authority of the City of Sulphur, Louisiana, as follows:

SECTION 1. All proceedings had by the City Council with respect to Local Assessment Ordinance No. 741, M-C Series, of the City of Sulphur, Louisiana, referred to in the preamble hereto, have been examined, investigated, and are hereby determined to be complete, regular and legal; that the said Local Assessment Ordinance No. 741, M-C Series has been duly published and filed for record on December 14, 2006, bearing Clerk's File No. 2787364, recorded in Mortgage Book 3270, page 283, Records of Calcasieu Parish, Louisiana; and that the amount remaining due under Local or Special Assessment Ordinance No. 741, M-C Series of the City of Sulphur, Louisiana, in the sum of **FIFTY-FOUR THOUSAND SIX HUNDRED NINETY-TWO AND 80/100 (\$54,692.80) DOLLARS**, has been found and determined and is hereby certified to be correct and in conformity with the provisions of law.

SECTION 2. In compliance with and by virtue of the authority of Article VI, Section 36 of the Constitution of the State of Louisiana for the year 1974, and Subpart A, Part I, Chapter 7 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, and all other laws on the same subject matter, there is hereby authorized and directed the issuance of negotiable interest bearing registered paving certificates of the City of Sulphur, State of Louisiana, in the principal sum of **FIFTY-FOUR THOUSAND SIX HUNDRED NINETY-TWO AND 80/100 (\$54,692.80) DOLLARS**, to represent the installment or deferred payments to cover the unpaid cost of constructing paving improvements along those portions of those streets within the limits of the City of Sulphur, Louisiana, set out in Local Assessment Ordinance No. 741, M-C Series of the City of Sulphur, Louisiana, adopted on December 11, 2006. Said paving Certificates shall be dated April 1, 2007, shall bear interest at a rate of 5.75% per annum from their date until paid, said interest to be payable annually on the 1st day of April each year commencing 2008. Said paving Certificates shall be numbered consecutively from R-01 upward, in initial denominations of one Certificate for each maturity, with transfers in denominations of at least \$1,000 each, said paving Certificates to mature annually and become due and payable as follows, to-wit:

<u>CERTIFICATE</u> <u>NO.</u>	<u>INTEREST</u> <u>(Apr. 1)</u>	<u>MATURITY</u> <u>DATE</u> <u>AMOUNT</u>	<u>PRINCIPAL</u>
R-01	5.75%	2008	\$ 5,469.00
R-02	5.75%	2009	5,469.00
R-03	5.75%	2010	5,469.00
R-04	5.75%	2011	5,469.00
R-05	5.75%	2012	5,469.00
R-06	5.75%	2013	5,469.00
R-07	5.75%	2014	5,469.00
R-08	5.75%	2015	5,469.00
R-09	5.75%	2016	5,469.00
R-10	5.75%	2017	<u>5,471.80</u>
			\$54,692.80

SECTION 3. The principal of and interest on said paving Certificates shall be payable in lawful money of the United States of America on their respective dates of payment to the registered owner of each Certificate upon presentation thereof at a bank to be designated by the purchaser of the Certificates, or its successor, as paying agent/registrar (the "Paying Agent/Registrar"). Interest on any Certificate is payable by check mailed to the person in whose name such Certificate is registered, at his address as it appears on the registration books maintained by or on behalf of the Issuer by the Paying Agent/Registrar, or its successor, at the close of business on the fifteenth (15th) calendar day of the month next preceding each interest payment date ("Record Date"), irrespective of any transfer or exchange of such Certificate subsequent to such Record Date and prior to such interest payment date.

SECTION 4. The Certificates herein authorized shall be in substantially the following form, to-wit:

(FACE OF CERTIFICATE)

**UNITED STATES OF AMERICA
STATE OF LOUISIANA
CITY OF SULPHUR, LOUISIANA
REGISTERED
REGISTERED**

NO. R-_____
\$

**PAVING CERTIFICATE, SERIES 2007-1
OF THE
CITY OF SULPHUR, LOUISIANA
(Quince Street)**

DATED DATE: INTEREST RATE: MATURITY DATE:
CUSIP NO.
April 1, 2007

The City Council, governing authority of the City of Sulphur, Louisiana (the "City") for value received, hereby acknowledges itself indebted and promises to pay to

REGISTERED OWNER:

PRINCIPAL AMOUNT:

or registered assigns, on the maturity date set forth above, the principal amount set forth above, together with interest thereon from the date hereof, said interest payable annually on April 1 in each year beginning April 1, 2008, at the interest rate per annum set forth above until said principal sum is paid, unless this Certificate has been previously called for redemption and payment shall have been duly made or provided for. The principal of this Certificate upon maturity or redemption is payable in lawful money of the United States of America at the principal corporate trust office of the City of Sulphur, located in the City of Sulphur (the Paying Agent/Registrar), or successor thereto, upon presentation and surrender hereof. Interest on this Certificate is payable by check mailed on each Interest Payment Date by the Paying Agent/Registrar to the registered owner (determined

as of the 15th calendar day of the month next preceding said interest payment date at the address, as shown on the books of the Paying Agent/Registrar.

This Certificate shall be subject to redemption prior to maturity at the option of the City on any Interest Payment Date at a price of 103% of the principal value thereof, and accrued interest to the date fixed for redemption.

REFERENCE IS MADE TO FURTHER PROVISIONS OF THIS CERTIFICATE SET FORTH ON THE REVERSE HEREOF, WHICH SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS THOUGH FULLY SET FORTH HEREIN.

This Certificate shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Certificate Ordinance (defined hereinafter) until the certificate of registration hereon shall have been signed by the Paying Agent/Registrar.

IN WITNESS WHEREOF, the City of Sulphur, Louisiana, through its governing authority, the City Council of the City, has caused this Paving Certificate to be executed in its name by the facsimile signatures of the duly authorized Mayor and the Clerk of the Council, and the seal of the City to be impressed or imprinted hereon, and this Certificate to be dated April 1, 2007.

LOUISIANA

CITY OF SULPHUR
CALCASIEU PARISH,

/s/ Arlene Blanchard
CLERK OF THE COUNCIL

/s/ Ron LeLeux
MAYOR

[S E A L]

(Lower Left)

PAYING AGENT/REGISTRAR'S
CERTIFICATE OF REGISTRATION

This Certificate is one of the Certificates referred to in the within mentioned Certificate Ordinance.

in the City of Sulphur,
as Paying Agent/Registrar

By:
Date of Authentication:

(REVERSE OF CERTIFICATE)

ADDITIONAL PROVISIONS

This Certificate is one of an issue, the Certificates of which are all of like date, tenor and effect, except as to the number, principal amount, maturity and rate of interest, aggregating in principal the sum of **FIFTY-FOUR THOUSAND SIX HUNDRED NINETY-TWO AND 80/100 (\$54,692.80) DOLLARS**, said Paving Certificates to mature annually, issued pursuant to Ordinance No. 763, M-C Series, adopted on March 12, 2007 (the "Certificate Ordinance"), by the City Council, the governing authority of the City, to represent the installments or deferred payments to cover the unpaid costs of the construction of street paving improvements on the following streets within the City, to-wit:

QUINCE STREET, in its entirety

as provided for in Local Assessment Ordinance No. 741, M-C Series, adopted on December 11, 2006, by the City Council, the governing authority of the City, under and by virtue of Article VI, Section 36 of the Constitution of the State of Louisiana for the year 1974, and Subpart A, Part I, Chapter 7 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, and all other laws on the same subject matter, and pursuant to proceedings regularly and legally taken by the governing authority of the City.

This Certificate and the issue of which it forms a part are secured by and payable in principal and interest from the irrevocable pledge and dedication of the funds to be derived from the levying and collection of a special assessment on each lot or parcel of real estate abutting the streets set out in Local Assessment Ordinance No. 741, M-C Series, in the proportion that its front footage bears to the total front footage to be assessed, pursuant to Local Assessment Ordinance No. 741, M-C Series, and which local or special assessments are payable in annual installments or deferred payments as provided by law.

At the option of the City, Certificates of this issue shall be subject to redemption prior to their stated maturity on any interest payment date at a price of 103% of the principal value thereof and accrued interest to the date fixed for redemption. Notice of call for redemption of any Certificate shall be given not less than thirty (30) days prior to the redemption date by means of registered or certified mail by notice deposited in the United States Mail addressed to the Paying Agent/Registrar and to the registered owner of each Certificate to be redeemed at his address as shown on the registration books of the Paying Agent/Registrar.

The Paying Agent/Registrar for this issue is the City of Sulphur, in the City of Sulphur. This Certificate shall pass by delivery on the books of the City to be kept for the purpose at the principal corporate trust office of the Paying Agent/Registrar and such registration is noted hereon. After such registration no transfer shall be valid unless made on said books at said office by the registered owner in person or by his duly authorized attorney and similarly noted hereon. This Certificate may not be discharged from registration by like transfer to bearer. The City and the Registrar may treat the registered owner as the

absolute owner hereof for all purposes, whether or not this Certificate shall be overdue and shall not be bound by any notice to the contrary.

IT IS CERTIFIED that this Certificate is authorized by and is issued in conformity with the requirements of the Constitution and statutes of the State of Louisiana. It is further certified, recited and declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Certificate and the issue of which it forms a part, necessary to have the same constitute legal, binding and valid obligations of the City, have existed, have happened and have been performed in due time, form and manner, as required by law, and the indebtedness of the City , including this Certificate, does not exceed any limitation prescribed by the Constitution and Statutes of the State of Louisiana.

A S S I G N M E N T

FOR VALUE RECEIVED, _____ the undersigned, hereby sells, assigns and transfers unto _____ the within Certificate and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney or agent to transfer the within Certificate on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this Assignment must correspond with the name as it appears upon the face of the within Certificate in every particular, without alteration or enlargement or any change whatever.

SECTION 5. The Paving Certificates herein authorized shall be signed by the original or facsimile signatures of the Mayor of the City, and the Clerk of the Council of the City, for and on behalf of, in the name of and under the seal of the City, said seal to be impressed or imprinted on each Certificate, and that said officers be, and they are hereby authorized, empowered and directed to execute the paving Certificates as herein provided. Should any officer whose facsimile signature appears on the Certificates cease to be such officer before delivery of the Certificates to the purchaser, such facsimile signature shall nevertheless be valid and sufficient for all purposes.

SECTION 6. The City Council, having examined and determined the regularity of all proceedings had in connection with the issuance of the Certificates herein authorized, and having examined and verified the correctness thereof, each of the Paving Certificates shall contain the following recital, to-wit:

“It is certified that this Paving Certificate is authorized by and is issued in conformity with the requirements of the Constitution and statutes of the State of Louisiana.”

SECTION 7. The Paving Certificates herein authorized shall be secured by and payable in principal and interest solely from the funds to be derived from the collection of the unpaid local or special assessments levied by Local Assessment Ordinance No. 741, M-C Series, adopted on December 11, 2006, on each lot or parcel of real estate abutting on the streets improved, which funds derived from the collection of the unpaid local or special assessments together with any interest thereon, shall be and they are irrevocable pledged and dedicated to the principal of and the interest on said Paving Certificates and shall not be drawn upon for any purpose other than to pay said principal and interest.

SECTION 8. The Mayor and the Clerk of the Council, the governing authority of the City, be and they are hereby empowered, authorized and directed to have the Paving Certificates printed, to execute same as hereinabove provided, to deliver the Certificates to the purchaser thereof and to collect the purchase price of said Paving Certificates, the funds derived therefrom to be expended solely in payment of the cost of the improvements constructed on the streets hereinabove set out and designated for no other purpose whatsoever.

SECTION 9. The Certificates of this issue are subject to redemption prior to maturity at the option of the City at a price of 103% of the principal value thereof and accrued interest to the date fixed for redemption, provided further that notice of redemption is to be given by registered or certified mail to the owner of record on the books of the Paying Agent/Registrar, not less than thirty (30) days prior to the redemption date, and by sending said notice by registered or certified mail to the place of payment of the Certificates. All such Certificates thus called for redemption and for the retirement of which funds are duly provided will cease to bear interest on such redemption date.

SECTION 10. No Certificate shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Certificate Ordinance unless and until a certificate of registration on such Certificate substantially in the form hereinabove set forth shall have been duly executed by the Registrar, and such executed certificate of the Registrar upon any such Certificate shall be conclusive evidence that such Certificate has been authenticated and delivered under this Certificate Ordinance. The Registrar's certificate of authentication on any Certificate shall be deemed to have been executed by it if signed by an authorized officer or signatory of the Registrar, but it shall not be necessary that the same officer or signatory sign the certificate of authentication on all of the Certificates issued hereunder.

SECTION 11. Upon the adoption of this Ordinance, the City shall execute the Certificates and deliver them to the Registrar, and the Registrar shall authenticate the

Certificates and deliver them to the purchasers thereof, as directed by the City, and in accordance with this Ordinance.

SECTION 12. The Mayor and the Clerk of the City Council of the City, be and they are hereby empowered, authorized and directed to issue and deliver vouchers drawn against the funds derived from the assessments paid in cash and the funds derived from the sale of the Paving Certificates in accordance with, and in the respective amounts set out in the report of the consulting engineer and accepted by the City, in full payment of all costs incurred in connection with the issuance, sale and delivery of the Paving Certificates herein authorized.

SECTION 13. (a) The Registrar shall maintain the books of the City for the registration of ownership of each Certificate as provided in this Ordinance. The Registrar shall accept a Certificate for registration of ownership only if ownership thereof is to be registered in the name of an individual, a corporation, a partnership or a trust, and only upon receipt of the name and address of each owner, the social security number of each individual, the tax identification number of each corporation, partnership or trust and the social security numbers of the settlor and beneficiary of each trust.

(b) Certificates may be transferred upon the registration books upon delivery of the Certificates to the Registrar, accompanied by a written instrument of transfer in form and with guaranty of signature satisfactory to the City and the Registrar, duly executed by the owner of the Certificates to be transferred or his or her attorney-in-fact or legal representative, containing written instructions as to the details of the transfer of such Certificates, along with the social security number or federal employer identification number of such transferee and, if such transferee is a trust, the name and social security number of the settlor and beneficiary of the proposed transferee. In the event that a Certificate is to be registered in the name of a nominee, the requisite information shall be provided for the principal rather than such nominee. No transfer of any Certificate shall be effective until entered on the registration books.

(c) In all cases of transfer of a Certificate, the Registrar shall enter the transfer of ownership in the registration books and shall authenticate and deliver in the name of the transferee or transferees a new fully registered Certificate or Certificates of authorized denominations of the same maturity and interest rate for the aggregate principal amount which the registered owner is entitled to receive at the earliest practicable time in accordance with the provisions of this Ordinance. The Registrar shall charge the City for every such transfer of a Certificate an amount sufficient to reimburse them for their reasonable fees and any tax or other governmental charge required to be paid with respect to such transfer, and shall require that such amount be paid before any such new Certificate shall be delivered.

(d) The City and the Registrar shall not be required to issue or transfer any Certificates during a period beginning on the Record Date, and ending at the close of business on the ensuing interest payment date, or any date of selection of Certificates to be redeemed and ending at the close of business on the interest payment date or day on

which the applicable notice of redemption is given or to register the transfer of or exchange of any Certificates so selected for redemption in whole or in part.

(e) New Certificates delivered upon any transfer shall be valid special limited obligations of the City, evidencing the same debt at the Certificates surrendered, shall be secured by this Ordinance and shall be entitled to all of the security and benefits hereof to the same extent as the Certificates surrendered.

(f) The City and the Paying Agent/Registrar may deem and treat the registered owner of any Certificate as the absolute owner thereof for all purposes, whether or not such Certificate shall be overdue, and any notice to the contrary shall not be binding upon the City or the Paying Agent/Registrar.

SECTION 14. Whenever any outstanding Certificate shall be delivered to the Registrar for cancellation pursuant to this Ordinance, and upon payment of the principal amount and interest represented thereby or for transfer pursuant to the provisions hereof, such Certificate shall be canceled and destroyed by the Registrar and counterparts of a certificate of destruction evidencing such destruction shall be furnished by the Registrar to the City.

SECTION 15. Neither the purchaser of the Certificates nor the holder of any of them shall in any way be responsible for the application of the proceeds of said Certificates by the City or any of its officers.

SECTION 16. The City covenants to duly and punctually pay or cause to be paid (but solely from the sources provided in this Certificate Ordinance) the principal of and interest on every Certificate, at the dates and places and in the manner stated herein and in the Certificates.

SECTION 17. The City covenants that it is duly authorized under all applicable laws to authorize and issue the Certificates and to adopt this Certificate Ordinance. The Certificates and the provisions of the Certificate Ordinance are and will be the valid and legally enforceable special obligations of the City in accordance with their terms and the terms of the Certificate Ordinance, subject to bankruptcy, insolvency and other laws affecting creditors' rights generally.

SECTION 18. The following events shall constitute events of default ("Events of Default"):

(1) if default shall be made in the due and punctual payment of principal of any Certificate when due as the same shall be come due and payable, whether at maturity or upon call for redemption, or otherwise; or

(2) if default shall be made in the due and punctual payment of any installment of interest on any Certificate when and as such interest installment shall become due and payable; or

(3) if default shall be made by the City in the performance or observance of any other of the covenants, agreements or conditions on its part in the Certificate Ordinance, any supplemental ordinance or in the Certificates contained, and such default shall continue for a period of forty-five (45) days after written notice thereof to the City by the Paying Agent/Registrar or by the owners of not less than 25% of the outstanding Certificates; or

(4) if the City shall file a petition or otherwise seek relief under any Federal or state bankruptcy law or similar law;

then, upon the occurrence and the continuance of any Event of Default the owners of the Certificates, or the Paying Agent/Registrar on their behalf, shall be entitled to exercise all rights and powers authorized under the provisions of law.

SECTION 19. After the Certificates herein authorized have been issued, this Ordinance shall constitute an irrevocable contract between the City and the holder or holders of the Certificates, and this Ordinance shall be and remain irrevocable until the Certificates and the interest accruing thereon shall have been fully paid, satisfied and discharged, as herein provided.

SECTION 20. The Mayor and Clerk of the Council of the City, be and they are hereby empowered, authorized and directed to do any and all things necessary and incidental to carry out the provisions of this Ordinance, to cause the necessary blank Certificates to be printed, to issue, execute, sign and seal the Certificates herein authorized in the manner herein authorized, and to effect delivery thereof as hereinafter provided.

SECTION 21. The provisions of this Ordinance shall constitute a contract between the City, or its successor in law, and the holder or holders from time to time of the Certificates herein authorized, and the provisions of such contract shall be enforceable by appropriate proceedings to be taken by the holder or holders either by law or in equity. No material modification or amendment of this Ordinance, or any ordinance or enactment amendatory hereof or supplemental hereto, may be made without the consent in writing of the holders of three-fourths of the aggregate principal amount of the Certificates then outstanding; provided, however, that no such modification or amendment shall permit a change in the maturity of such Certificates, or a reduction in the rate of interest thereon, or in the amount of the principal obligation thereof, or affecting the unconditional promise of the City to pay the principal of and interest on the Certificates as the same shall come due from the funds pledged and dedicated to the payment thereof by this Ordinance.

SECTION 22. In case any one or more of the provisions of this Ordinance or the Certificates issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions of this Ordinance or of the Certificates, but this Ordinance and the Certificates shall be construed and enforced as

if such illegal or invalid provisions had not been contained therein. Any constitutional or statutory provisions enacted after the date of this Ordinance or the Certificates which validated or makes legal any provisions of this Ordinance or the Certificates which would not otherwise be valid or legal, shall be deemed to apply to this Ordinance and to the Certificates.

SECTION 23. This Ordinance shall be published once in the *Southwest Daily News*, the official journal of the City of Sulphur, Louisiana. The Certificates herein authorized shall be incontestable in the hands of *bona fide* purchasers thereof for value, and no contest or proceeding shall be begun in any court by any person for any cause whatsoever, after the expiration of thirty (30) days from the date this Ordinance is published, after which time, its validity, legality and ranking, shall be conclusively presumed.

SECTION 24. All ordinances, resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed, and this Ordinance shall be come effective immediately upon its adoption.

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 March, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a Notice of Intention Hearing for Acadienne, Gabriel and Augustine Streets paving project. Motion was made by Mrs. Tower seconded by Mr. Moss that the following ordinance be amended to replace “in its entirety” with “unpaved portions”. Motion carried.

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

RESOLUTION NO. 1967, M-C SERIES

A RESOLUTION GIVING NOTICE OF THE INTENTION OF THE CITY OF SULPHUR, LOUISIANA, TO CONSTRUCT, PAVE AND OTHERWISE IMPROVE CERTAIN STREETS WITHIN THE LIMITS OF THE CITY OF SULPHUR, LOUISIANA, AND DESCRIBING IN A GENERAL WAY THE IMPROVEMENTS CONTEMPLATED, THE MANNER OF PAYMENT THEREFOR, AND PROVIDING FOR THE GIVING OF NOTICE, AT WHICH TIME OBJECTIONS THERETO MAY BE HEARD AS CONTEMPLATED BY THE PERTINENT PROVISIONS OF SUBPART A, PART I, CHAPTER 7, TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED, AND ALL OTHER LAWS PERTAINING TO THE SAME SUBJECT MATTER.

BE IT RESOLVED by the City Council, the governing authority of the City of Sulphur, Louisiana, as follows:

SECTION 1. In accordance with the applicable provisions of Subpart A, Part I, Chapter 7 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, and all other laws pertaining to the same subject matter, it is the intention of the City of Sulphur, Louisiana, through its governing authority, to construct and pave the unpaved portions of the following street or streets, or any part thereof, within the limits of the City of Sulphur, Louisiana, as follows:

ACADIENNE STREET unpaved portion;
GABRIEL STREET unpaved portion;
AUGUSTINE STREET unpaved portion;

in the following manner:

The construction of Asphaltic Concrete to a width of twenty (20) feet, on soil cement stabilized base course.

SECTION 2. It is the intention of the City of Sulphur, Louisiana, through the City Council, its governing authority, to construct and pave the aforesaid street improvements and to provide for the payment of the costs thereof either as a single project to separate projects; that it is further the intention of the governing authority of the City of Sulphur, Louisiana, to enter into a contract(s) with private contractors for the construction of said improvements, after advertising for competitive bids for the construction thereof, said contract(s) is to be let to the lowest responsible bidder, upon its furnishing a performance bond and performing all requisite legal requirements; the City Council reserves the right to reject any and all bids and further reserves the right, at any time, within a period of thirty (30) days, from the date of receipt and opening of said bids, to award the contract(s) for said work, without further advertisement, but in the latter

event, said contract(s) shall not be entered into for an amount greater than that specified in the lowest sealed bid received from a responsible bidder.

SECTION 3. The total cost of the project shall include cost of street intersections, where unpaved street intersections are included therein, engineer's and attorney's fees, and shall also include all other costs incidental to said project(s), which total costs shall be chargeable to each lot or parcel of real estate abutting the street so improved in the proportion that its front footage bears to all front footage of the abutting lots or parcels of real estate to be thus improved on such street.

SECTION 4. In order to provide for the payment of said proposed improvements on the project, a local or special assessment shall be levied on each lot or parcel of real estate abutting the street to be improved, in the proportion that its front footage bears to all front footage of the abutting lots or parcels of real estate to be thus improved, and the total amount of such local or special assessment shall be equal to the total cost of the project, and such local or special assessment shall be due and collectible immediately upon passage of the ordinance levying same, and if not paid within thirty (30) days from the adoption of said ordinance, it will be conclusively presumed that any property owner whose property is affected thereby, exercises the right and option which is to be authorized, to pay the amount due in equal installments bearing interest at the rate or rates not exceeding the maximum rate provided for conventional interest by Article 2924 of the Louisiana Civil Code as same not exists or may be hereafter amended, and extending over a period of not exceeding ten (10) years, all within the discretion of the City Council of the City of Sulphur, Louisiana, and as provided for in the ordinance levying such local or special assessment. The first installment shall become due on December 31st of the then current year, or one year after the date of assessment ordinance herein provided for, at the discretion of the City Council of the City of Sulphur, Louisiana, and annually thereafter, all in the form and manner provided for by the pertinent provisions of Subpart A, Part I, Chapter 7 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, and all other laws pertaining to the same subject matter. **THERE WILL BE A PENALTY OF THREE (3%) PERCENT OF THE THEN OUTSTANDING PRINCIPAL AMOUNT THEREOF, FOR PREPAYMENT IN FULL OF ANY ASSESSMENT PAID AFTER THE EXPIRATION OF THIRTY (30) DAYS FROM THE ADOPTION OF THE ORDINANCE LEVYING SAME.**

SECTION 5. The Mayor of the City of Sulphur, Louisiana, be and he is hereby authorized and directed to give, sign and cause to be published three times within at least two consecutive weeks, the first publication being not less than thirteen days before the date fixed for the hearing of objections and the last publication being in the last week, in a newspaper published within the City of Sulphur, Louisiana, notice of the intention of the City of Sulphur, Louisiana, to construct and pave, and otherwise improve, the street or streets, or any part thereof, proposed to be improved, as set forth in Section 1 of this resolution, embodying therein in a general way the improvements contemplated and the manner of payment therefor, and such notice shall contain substantially all things set forth in this resolution and also give notice that the City of Sulphur, Louisiana, will meet in open session at City Hall, Sulphur, Louisiana, on Monday, March 12, 2007, at

5:30 p.m., which session is hereby called and will on that date, and at the hour and place designated, proceed to hear any and all objections to the proposed improvements and the manner of payment therefor with respect to the project and, after hearing and passing on such objections, if any there be, shall then proceed, if it is determined to do so, to order such improvements constructed in the manner provided by Subpart A, Part I, Chapter 7 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, and all other laws pertaining to the same subject matter.

SECTION 6. This resolution shall take effect immediately upon its adoption.

NOTICE OF INTENTION

In accordance with the applicable provisions of Subpart A, Part I, Chapter 7 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, and all other laws pertaining to the same subject matter, and a resolution adopted by the City Council, the governing authority of the City of Sulphur, Louisiana, on the 8th day of January, 2007, NOTICE IS HEREBY GIVEN that the City of Sulphur, Louisiana, intends to construct and pave the unpaved portions of the following street or streets, or any part thereof, within the limits of the City of Sulphur, Louisiana:

ACADIENNE STREET unpaved portion;
GABRIEL STREET unpaved portion;
AUGUSTINE STREET unpaved portion;

in the following manner:

The construction of asphaltic concrete to a width of twenty (20) feet, on soil cement stabilized base course.

NOTICE IS FURTHER GIVEN that it is the intention of the City of Sulphur, Louisiana, through the City Council, its governing authority, to construct and pave the aforesaid street improvements and to provide for the payment of the costs thereof either as a single project to separate projects, and the total costs of such project(s) shall also include cost of street intersections, where unpaved street intersections are included therein, engineer's and attorney's fees, and shall also include all other costs incidental to said project(s), which total costs shall be chargeable to each lot or parcel of real estate abutting the street so improved in the proportion that its front footage bears to all front footage of the abutting lots or parcels of real estate to be thus improved on such street.

In order to provide for the payment of said proposed improvements on the project, a local or special assessment shall be levied on each lot or parcel of real estate abutting the street to be improved, in the proportion that its front footage bears to all front footage of the abutting lots or parcels of real estate to be thus improved on the street, and the total amount of such local or special assessment shall be equal to the total cost of the project, and such local or special assessment may be payable in cash or in deferred payments in equal annual installments extending over a period of not exceeding ten (10) years, all in

the form and manner provided for by law. THERE WILL BE A PENALTY OF THREE (3%) PERCENT OF THE THEN OUTSTANDING PRINCIPAL AMOUNT THEREOF, FOR PREPAYMENT IN FULL OF ANY ASSESSMENT PAID AFTER THE EXPIRATION OF THIRTY (30) DAYS FROM THE ADOPTION OF THE ORDINANCE LEVYING SAME.

NOTICE IS FURTHER GIVEN that the City of Sulphur, Louisiana, will meet in open session at City Hall, Sulphur, Louisiana, on Monday, March 12, 2007, at 5:30 p.m., which session is hereby called and will on that date, and at the hour and place designated, proceed to hear any and all objections to the proposed improvements and the manner of payment therefor, with respect to each particular project and, after hearing and passing on such objects, if any there be, shall then proceed, if it is determined to do so, to order such improvements constructed in the manner provided by Subpart A, Part I, Chapter 7 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, and all other laws pertaining to the same subject matter.

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 March, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a public hearing on ordinance amending Capital Projects and General Fund Budget for fiscal year ending 2006-2007 (Limb Grabber).

Motion was made by Mrs. Tower seconded by Mr. Moss that the following ordinance be adopted to-wit: At this time Mrs. Tower and Mr. Moss withdrew their motion and second and motion was then made by Mr. Moss seconded by Mrs. Tower that the following ordinance be amended:

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

Motion carried.

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

ORDINANCE NO. 764, M-C SERIES

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

BE IT ORDAINED by the City of Sulphur, Louisiana, through its governing body, the City Council of the City of Sulphur, Louisiana, as follows:

SECTION 1. That the General Fund Budget of the City of Sulphur, Louisiana, for the fiscal year ending June 30, 2007, heretofore adopted by the City Council, be and the same is hereby amended and re-adopted in accordance with "Exhibit A" attached hereto and made a part hereof.

SECTION 2. All ordinances and resolutions or parts thereof in conflict herewith be and the same are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon approval by the Mayor.

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 March, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a public hearing on ordinance accepting preliminary plans for Frenchman's Creek Subdivision Phase I. Randy Broussard, architect for the Sulphur Housing Authority, addressed the Council and stated that this is a \$7 million development. There will be 40 single family units consisting of 12 (2 BR) for \$690.00/mo., 24 (3 BR) for \$800.00/mo., 4 (4 BR) for \$900.00/mo. Each home will cost approximately \$170,000. The monthly cost includes all utilities. Art Schultz, financial consultant, addressed the Council and stated that a resident must meet the 60% medium income. There will be no low rent housing. After 15 years the homes may be sold to first-time home-buyers. The homes will then get renovated with carpet, etc. There will be a background check on everyone living there. They will also check with the utility companies to see if they have an outstanding balance. Before they are able to move in they must pay all outstanding utility bills.

Mr. Moss asked if they had a market study done. Mr. Schultz stated that they did and it indicated a demand for 1,400 additional units at this rent level. Currently, only 160 are permitted. Mr. Moss stated that this is Section 8 housing so why couldn't they be built on the Housing Authority property. Mr. Schultz stated that there is no vacant property in that area. This housing will be for people who already live here in Sulphur. Mrs. Ellender stated that she's not interested in this project because a project just like this one tried to be built across from the fairgrounds many years ago and they promised the "pie in the sky" to everyone but it all fell through.

Mr. Schultz then stated that he had asked Mr. Italio, Sulphur Housing Authority, if the police had to go out to the Housing Authority very much. Mr. Italio said it's almost non-existent. Chris Abrahams, Police Chief, stated that the police do go out to the

Housing Authority but it's not on a regular basis. Mrs. Tower stated that the Housing Authority will not be managing this housing, JM Property will. There is housing in Denham Springs and Lafayette that is managed by JM Property and they gave great reports. She also stated that this subdivision will also have paved streets with sidewalks, piped drainage and lighting. Mr. Koonce asked if the building material will be bought in Sulphur and if the contractor's will be from Sulphur. Mr. Schultz stated that this will be a competitive bid so he's not sure if a business from Sulphur will be low bidder. As far as the building material, 80% will be bought in Sulphur.

Tony Dougherty, W.W. Lewis Middle School principal, addressed the Council and stated that with Phase I and additional Phase's in the future this is a lot of extra kids that will be going to the surrounding schools. The schools may not be equipped for this many extra students. If we get many more students at W.W. Lewis we will need to have portable buildings. He also asked what kind of buffer will be between the school and the housing because if kids are out playing they may hear offensive language. We also have football games and soccer games held at the school and everyone needs to look out for the safety of the children.

Mr. Moss stated that according to the report issued by Mr. Schultz it states that 104 students will be attending 3 local schools. Mr. Schultz stated that it will be less than 25 kids for 40 units. Mayor LeLeux stated that he was trying to do the math on the figure for the rent and it just wasn't working out. To qualify for this housing a 1500 sq. ft. 4 bedroom home would cost \$900.00/mo. and they can only make \$33,000 a year. These rates are too high for people on low income.

Mr. Carnahan, resident of Sulphur, addressed the Council and stated that he would like to see the Council hold on taking action on this issue until people can see the plans.

Charles Reed, Maria Drive, stated that he has a hard time trying to figure out how someone on a low income can pay \$900.00/month for rent. Sulphur doesn't need this project.

Bill LeBlanc, Roberta Drive, addressed the Council and stated he has rental property and his renters have a hard time paying for their rent and his rent isn't close to \$900.00/mo.

Mrs. Tower then stated that she feels this housing will be a true benefit to the city of Sulphur.

The next item on the agenda an introduction of ordinance amending Chapter 8 to provide for Article I, Section III – Urinating and defecating in public place prohibited.

Mrs. Tower stated that the city did not have an ordinance that addressed this issue.

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

**ORDINANCE AMENDING CHAPTER 8 TO PROVIDE FOR ARTICLE I,
SECTION 3 – URINATING AND DEFECATING IN PUBLIC PLACES
PROHIBITED.**

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 AMENDING CHAPTER 8 TO PROVIDE FOR ARTICLE I, SECTION 3 – URINATING AND DEFECATING IN PUBLIC PLACES PROHIBITED.

A public hearing on said ordinance will be held at 5:30 p.m. on the 9th day of April, 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 amending Chapter 5, Section 3 of the Code of Ordinances of the City of Sulphur (All buildings required to have numbers). Mrs. Tower stated that all buildings and homes need to have numbers on them. Emergency vehicles have a hard time finding a lot of addresses. Mr. Duncan also stated that the house numbers must be of contrasting color to their background. Motion was then made by Mrs. Tower seconded by Mrs. Ellender that the following ordinance be introduced:

ORDINANCE AMENDING CHAPTER 5, SECTION 3 OF THE CODE OF ORDINANCE OF THE CITY OF SULPHUR – ALL BUILDINGS REQUIRED TO HAVE NUMBERS; SPECIFICATIONS.

Motion was then made by Mrs. Tower 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 AMENDING CHAPTER 5, SECTION 3 OF THE CODE OF ORDINANCE OF THE CITY OF SULPHUR – ALL BUILDINGS REQUIRED TO HAVE NUMBERS; SPECIFICATIONS.

A public hearing on said ordinance will be held at 5:30 p.m. on the 9th day of April, 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 awarding low bid received for a vehicle for the Mayor. Mayor LeLeux stated that there was \$25,000 budgeted for a new vehicle. He wants to get rid of the vehicle he has now because it’s hard for older people to get in and out of the car because it sits too low to the ground. The bid from Allstar Pontiac was for a Gran Prix but this car sits lower than the one he has now. Motion was then made by Mr. Moss seconded by Mrs. Tower that the following bid be rejected:

COMPANY

BID

Allstar Pontiac

\$16,023.50 (delivered)
2006 Pontiac Gran Prix 4 Door Sedan

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

RESOLUTION NO. 1968, M-C SERIES

Resolution awarding low bid received for a vehicle for the Mayor.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for a vehicle for the Mayor were opened and read aloud in an open and public bid session on Tuesday, March 6, 2007, at 10:00 a.m., and the bids were as follows:

<u>Company</u>	<u>Bid</u>
Don Shetler Ford	\$19,982.00 (delivered) 2007 Ford Five Hundred
Allstar Pontiac (rejected)	\$16,023.50 (delivered) 2006 Pontiac Gran Prix 4 Door Sedan

BE IT RESOLVED that the City Council does hereby accept the recommendation of Mayor Ron LeLeux and award the bid for a vehicle for the Mayor as follows:

<u>Company</u>	<u>Bid</u>
Don Shetler Ford	\$19,982.00 (delivered) 2007 Ford Five Hundred

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 March, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a resolution accepting petition from property owners for the paving of Chestnut Street. Motion was made by Mrs. Tower seconded by Mr.

Moss that the following resolution be tabled until 60% of the signatures are obtained:

Resolution accepting the petition from property owners for the paving of Chestnut Street.

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 resolution was declared tabled on this 12th day of March, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a resolution authorizing the advertisement of bids for 2006-2007 Overlay Project and Chestnut, Gabriel, Acadienne and Augustine Streets.

Motion was made by Mrs. Tower seconded by Mr. Moss that the overlay project list of streets be amended to take Leland Street out and replace it with Self Street. Motion carried.

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

RESOLUTION NO. 1969, M-C SERIES

Resolution authorizing the advertisement of bids for the 2006-2007 Overlay Project and Chestnut, Gabriel, Acadienne and Augustine Streets.

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 2006-2007 Overlay Project and Chestnut, Gabriel, Acadienne and Augustine Streets, said bids to be in accordance with the quantities and specifications on file with Meyer and Associates.

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 the 2006-2007 Overlay Project and Chestnut, Gabriel, Acadienne and Augustine Streets will be received by the Clerk of the Council until 9:00 a.m. on the 9th day of April, 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 Public Works in the Conference Room at the City Hall, and shall be awarded at a regular meeting on the 9th day of April, 2007 at 5:30 p.m.

2006-2007 Overlay Project – Madison, Palermo (Roxton to end), Mary Ann (Hazel to Gale), Self, Chestnut – assessment, Gabriel- assessment, Acadienne – assessment, Augustine – assessment

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 March, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a resolution stating the City Council’s endorsement of Kalyon, LLC (Candlewood Suites) to participate in the benefits of the Louisiana Enterprise Zone Program. Motion was made by Mr. Koonce seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 1970, M-C SERIES

Resolution stating the City Council’s endorsement of Kalyan, LLC to participate in the benefits of the Louisiana Enterprise Zone Program. (Candlewood Suites)

WHEREAS, the Louisiana Enterprise Zone Act 901 of 1981, Act 337 of 1987, Act 1024 of 1992, Act 581 of 1995, Act 624 of 1997, Act 647 of 1997, and Act 977 of 1999;

WHEREAS, the Louisiana Enterprise Zone Program offers significant incentives for economic development to some of the most distressed areas in the State; and

WHEREAS, the business is located within Census Tract 33, Block Group 2, which is not a designated Enterprise Zone or within the boundaries of an Economic Development Zone; and

WHEREAS, the City of Sulphur states this endorsement is in agreement with the Overall Economic Development Plan for the City of Sulphur; and

WHEREAS, the **attached map** has been marked to show the location of the business being endorsed; and

WHEREAS, in accordance with the Louisiana Enterprise Zone Program requirements the City of Sulphur agrees:

1. Participate in the enterprise zone program
2. Assist the department in evaluating progress made in any enterprise zone within its jurisdiction
3. To REBATE all eligible local sales/use taxes on the purchase of eligible construction materials, machinery, and equipment purchased for this project and used by the business **permanently on that site.**

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, in due, special and legal session convened this 12th day of March, 2007, that Kalyan, LLC and their project Candlewood Suites, Application

#062270-0 is endorsed to participate in the Louisiana Enterprise Zone Program.

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications and to this end the provisions of the resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

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 March, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a resolution supporting and encouraging competition among cable service providers in the City of Sulphur. Motion was made by Mrs. Tower seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 1971, M-C SERIES

WHEREAS, City of Sulphur (“City”) desires to encourage and promote competition within its municipal limits for cable services (as that term is presently commonly understood within the cable service industry) and other video programming (“Cable Services”) for its citizens;

WHEREAS, City desires to promote nonexclusive opportunities for Cable Service providers to operate within its municipal limits;

WHEREAS, City desires to provide nondiscriminatory franchise agreement opportunities for all providers of Cable Services within its municipal limits; and

WHEREAS, City desires to cooperate with the Louisiana Municipal Association and other municipalities within the State of Louisiana in order to meet the foregoing goals throughout the state.

THEREFORE, BE IT RESOLVED, that on this 12th day of March, 2007 that the City of Sulphur did meet in open and regular session in order to consider this Resolution and to hereby state the intent of the City of Sulphur regarding franchise agreements for Cable Services and the encouragement of access to and competition among Cable Service providers with its municipal limits.

BE IT FURTHER RESOLVED, that, should any Cable Service provider desire to provide Cable Services within the municipal limits of the City, City does hereby agree to enter into a cable franchise agreement substantially similar to that agreement attached hereto and made apart hereof as Exhibit A (the “Cable Franchise Agreement”).

BE IT FURTHER RESOLVED, that should any non-incumbent provider of Cable Services agree to and execute the Cable Franchise Agreement, City does hereby agree to enter into a substantially similar Cable Franchise Agreement with any incumbent provider of Cable Services.

BE IT FURTHER RESOLVED, that City shall, henceforth, not enter into any franchise agreement for Cable Services other than agreements substantially similar to the Cable Franchise Agreement.

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 March, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a resolution accepting Substantial Completion on Procurement of City Hall Emergency Generators. Motion was made by Mrs. Tower seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 1972, M-C SERIES

Resolution accepting Substantial Completion on Procurement of City Hall Emergency Generators.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept the Substantial Completion Report on the Procurement of City Hall Emergency Generators.

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 March, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a resolution accepting Substantial Completion on Installation of City Hall Emergency Generators. Motion was made by Mr. Moss seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 1973, M-C SERIES

Resolution accepting Substantial Completion on Installation of City Hall Emergency Generators.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept the Substantial Completion Report on the Installation of City Hall Emergency Generators.

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 March, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a resolution supporting Sulphur City Council Youth Advisory Commission. Motion was made by Mrs. Tower seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 1974, M-C SERIES

Resolution supporting the City Council Youth Advisory Commission

WHEREAS, the City of Sulphur hereby recognizes the City Council Youth Advisory Commission; and

WHEREAS, each council member will appoint one male and one female from their respective district according to these eligibility requirements:

- 1) Individual must be 16 years of age or older
- 2) Must be enrolled and attend either Sulphur High School 9th grade campus or main campus
- 3) Must maintain a 2.5 GPA
- 4) Must be active in the community
- 5) Must reside within the appointing council members district
- 6) Must agree to a one year commitment and cannot serve more than two years

BE IT RESOLVED by the City Council of the City of Sulphur, the governing authority thereof, that the purpose of this Commission is to advise the City Council of the issue's and concerns facing the youth in our community. Also to start the City Council "Merit of Accomplishments" to school students for special accomplishments and to help out as City Ambassadors to the youth at functions within our community as needed.

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 March, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a resolution authorizing the advertisement of bids for a new City Hall. Motion was made by Mr. Moss seconded by Mrs. Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 1975, M-C SERIES

Resolution authorizing the advertisement of bids for City of Sulphur new City Hall.

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 City of Sulphur new City Hall, said bids to be in accordance with the quantities and specifications on file with Vincent & Shows Architects APC.

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 City of Sulphur new City Hall will be received by the Clerk of the Council until 10:0 a.m. on the 18th day of April, 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 14th day of May, 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 March, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a resolution extending the date for agenda meetings. Motion was made by Mr. Koonce seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 1976, M-C SERIES

Resolution extending the dates for Sulphur City Council agenda meetings.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby extend the dates for the Sulphur City Council agenda meetings for a period of (3) three months:

April 2, 2007
May 7, 2007
June 4, 2007

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 March, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda an introduction of ordinance granting a variance to Maplewood Church of Christ, Prater Road to allow for the continuance of filling in a pond with concrete. Mr. Moss stated that the church has property on Prater Road that abuts Glen Taylor Estates and there is a 15 foot pond in the back. They have been filling in the pond with concrete. The city has shut them down because there are city ordinance's that prohibit this. Roger Carley, member of Church of Christ, addressed the Council and stated that DEQ said that filling in the pond was alright with them. The concrete is not in the pond yet, it is on the side of the pond. The City issued a stop work order so we stopped. We could have the pond filled in a week or so.

Mr. Moss stated that in a prior meeting with Mr. Drost, Mrs. VanderHey, Mr. Corley and himself, they agreed to let the Council handle this. Mr. Corley stated that the church plans on using this property for a new church but it will not be built on top of this pond. Danny DiPetta, homeowner next to this property, addressed the Council and stated that the city has laws on their books so they need to enforce them. The church is dumping illegally and they can fill in the pond with dirt. He doesn't want his backyard an illegal dumping ground. He doesn't want any variance to be given to the church. Mr. DiPetta also stated that the church was told months ago to stop filling in the hole because the city had an ordinance against this but they continued to do so even though they knew. Mr. Koonce asked Mr. DiPetta if he would be happy if the church took the concrete out. Mr.

DiPetta stated, yes but the concrete is not in the pond it's on the side of the pond. Mr.

Moss asked that this item be tabled so the two parties could work something out.

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

AN ORDINANCE GRANTING A VARIANCE TO SECTION 13-4 AND 18-5 (J) OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR, LOUISIANA, TO MAPLEWOOD CHURCH OF CHRIST, PRATER ROAD, SULPHUR, LOUISIANA.

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 tabled on this 12th day of March, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a resolution accepting petition for the paving of Arena Road. Motion was made by Mrs. Tower seconded by Mr. Moss that the following resolution be tabled due to the petition not having enough signatures:

Resolution accepting the petition from property owners for the paving of a portion of Arena Road.

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 tabled on this 12th day of March, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda is Council to go into executive session to discuss all pending lawsuits with the City. Motion was made by Mrs. Tower seconded by Mr. Moss that the Council go into executive session. Motion carried.

Motion was then made by Mrs. Tower seconded by Mr. Moss to reconvene.

Motion carried.

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

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

3/12/07
9:05 P.M.