

APRIL 9, 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 April 9, 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 Father Joe Goslin, 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. Motion was made by Mrs. Ellender seconded by Mr. Moss that items 8 and 21 be removed from the agenda. Motion was then made by Mr. Moss seconded by Mrs. Tower that item #9 be removed from the agenda. Mrs. Ellender stated that she wants to remove #8 because in Robert's Rules of Order it states that when someone makes a motion and it fails for lack of a second then it can not be brought up again unless the other four prevailing parties bring it up, therefore, the Council can not bring up #8 at this meeting. Mrs. Tower stated that since they were using Robert's Rules to remove it from the agenda then could one of the other Councilmen put it under their name. Mr. Drost stated, no. Mrs. Ellender stated

that she would like to remove it and not bring it up again. After discussion, a vote was then called to remove item #8 from the agenda as follows:

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

And the said item was declared removed from the agenda on this 9th day of April, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item to be voted on was item #21. Mrs. Tower stated that she would like to see this item stay on the agenda and hopes that it will pass. Mr. Koonce stated that this is an unjust thing. How many people will it take to persuade the Council to keep the filming? We have a couple of people who come up to the microphone who act like a fool but this filming is good for the city. Seven thousand dollars a year isn't much to pay when the public is being informed. The Council found \$320,000 to pave Arena Road why all of a sudden can't they find \$7,000. With the previous motion being made by Mrs. Ellender seconded by Mr. Moss a vote was then called to remove item #21 from the agenda:

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

And the said item was declared removed from the agenda on this 9th day of April, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item to be voted on was item #9. Mr. Duncan stated that this item has reached a compromise. Mr. Drost stated that there was some confusion in the early stages of this variance. The church became satisfied that the city gave them the right to dump the concrete in the pond and in light of that confusion the city felt it was the right thing for them to remove the concrete at the city's expense. At this time Mr. Moss called for the question seconded by Mr. Tower. A vote was then called with the results as follows to remove item #9 from the agenda:

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

And the said item was removed from the agenda on this 9th day of April, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

At this time motion was made by Mrs. Tower seconded by Mr. Moss that item #4 be removed from the agenda. Motion carried.

Motion was then made by Mr. Moss seconded by Mrs. Ellender that the agenda be approved as amended. A vote was then called with the results as follows:

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

And the said agenda was approved by the above vote on this 9th day of April, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The first item on the agenda Presentation to Volunteer of the Month of April. Mayor LeLeux presented a certificate to Kaice Farhat for saving a woman's life while trapped in her vehicle while on fire.

The next item on the agenda a Presentation to "Dare to be Different" for the Month of April. Mayor LeLeux presented certificates to the following students: Nathan Clophus, Sulphur High School; Terri Rawson, Sulphur High 9th Grade Campus; Tyler Bartlett, W.W. Lewis Middle School; Nathaniel McCarver, Maplewood Middle School; Megan Moore, Our Lady's Catholic School and Brooke Morgan, LeBlanc Middle School.

The next item on the agenda a Presentation to Teachers of the Month for April. Mayor LeLeux presented certificates to the following teachers: Joyce Ardoin, Sulphur High School; Kristy Como, Sulphur High 9th Grade Campus; Mandy Benoit, W.W. Lewis Middle School and Lee Long, R.W. Vincent.

The next item on the agenda Debbie Russell to address Council on Volunteer Wheels and More. Mrs. Russell stated that this program is for senior citizens. They will have free transportation to their doctor visits, Senior Citizen Center, grocery store, pharmacy, etc. They are asking for volunteers at this time. This program will also help with minor home repairs. To meet the qualification for this program you must be at the age of 60, ambulatory and live in Calcasieu Parish. The volunteers will need a 4 hour training course.

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 addresses:

Motion was made by Mrs. Tower seconded by Mr. Koonce that the following addresses receive a 6 month extension: 1122 Verdine #35, 308 East Verdine, 1125 Alvin, 211 W. Lincoln, 612 Miller, 939 Alice, 827 Elm, 455 Mimosa #6, 1205 Sherwood, 522 Phillips, 112 Vine, 112.1 Vine, 205 N. Crocker, 999 N. Claiborne.

Motion carried.

Motion was then made by Mrs. Tower seconded by Mr. Koonce that the following addresses do not receive an extension: 1122 Verdine #16, 1122 Verdine #17, 607 Cass, 2141 Napoleon #6, 615 Peck, 1203 Texas, 2111 Trailer #35, 220 Burton, 1017 Shasta #17, 900 Lilliput, 707 Johnson, 2300 Louis Alleman. Motion carried.

Motion was made by Mrs. Ellender seconded by Mr. Moss that the following address does not receive an extension – 1122 Verdine #16. Motion carried.

Motion was made by Mrs. Ellender seconded by Mr. Moss that the following address receive a 6 month extension – 1122 Verdine #35. Motion carried.

Motion was then made by Mrs. Ellender seconded by Mrs. Tower that the following address does not receive an extension – 1122 Verdine #17. Motion carried.

Motion was then made by Mrs. Tower seconded by Mr. Moss that the following address does not receive an extension – 615 Peck. Motion carried.

Motion was then made by Mr. Moss seconded by Mrs. Tower that the following address receive a 3 month extension – 203 Texas. Motion carried.

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

1001 Elm Street – Motion was made by Mrs. Tower seconded by Mr. Moss that this address be demolished with guidelines set by DEQ. Motion carried.

1026 Lock Street – Motion was made by Mrs. Ellender seconded by Mr. Moss that this address (both structures) be demolished with guideline set by DEQ. Motion carried.

925 Brandi Street – Motion was made by Mr. Koonce seconded by Mrs. Tower that this address be given a 30 day extension. Motion carried.

311 W. Elizabeth – Mr. Koonce stated that there is a Buy/Sell agreement and the seller did disclose the wiring problem to the buyer. Motion was made by Mr. Koonce seconded by Mr. Moss that this address be reset for 60 days. Motion carried.

303 Davis – Mrs. VanderHey stated that she hasn't heard from the mortgage company. The bankruptcy has cleared, but there are two mortgage holders. At this time motion was made by Mr. Moss to demolish this address. After discussion, Mr. Moss withdrew his motion and then made another motion that was seconded by Mr. Koonce to send a certified letter to the mortgage company and also to call them to let them know this status of this address. Mrs. Tower asked if the Council votes to demolish this address do the owners have an option to repair? Mrs. VanderHey stated that they can repair it within the 30 days. Mrs. Tower stated that the only way the owners can repair it is if they get their permit within 30 days and begin work immediately. Mr. Duncan stated that the permit office will let the Council know if they received a permit and if they are doing repairs. The previous motion carried.

301 E. Napoleon – Mrs. VanderyHey stated that the owner is very ill and has done some improvements. Mayor LeLeux stated that this has been going on for a very

long time and needs to be corrected. It will soon be too hot for them to do repairs so it needs to be done while it's cool. It needs to be torn down and the grass needs to be cut. Mr. Duncan stated that everything outside of the building needs to be cleaned, from debris clean-up to the grass cut. Mrs. VanderHey stated that she can handle cleaning the yard and doesn't need Council action. At this time motion was made by Mr. Moss seconded by Mrs. Tower that this address be removed from Rule to Show Cause. Motion carried.

1039 Live Oak Lot E – Mrs. VanderHey stated that the owners are tearing down the home at this time. Motion was made by Mr. Moss seconded by Mrs. Tower that this address be reset for 30 days. Motion carried.

2525 St. Francis – Mr. Duncan stated that Mr. Alshire has done a lot of cleaning so far. Mr. Alshire stated that he has much more important things to do than pleasing the City by cleaning. He is in the process of building a new house and he will build his house before he cleans up. He received an SBA loan last year and hasn't broke ground yet. He is doing all the cleaning by himself and it will take a long time and he doesn't care what the City says. He told the Council that the City better not enter on his property. He has a gold mine sitting on his property, not trash. He salvages a lot of things and when the senior citizens need something fixed he will fix it for free with the personal things on his property that the City is calling trash. Mrs. Tower then stated that he will need to put the fence back up if he can't follow the city's junk ordinance. She stated that it will have to be asthetically sound and the metal fence would not be good for the neighborhood. Motion was then made by Mrs. Tower seconded by Mr. Koonce that a six month extension be granted.

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 (due to previous business dealings)

And the above address was then given an extension until October, 2007 on this 9th day of April, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a public hearing on ordinance to allow Dyrell Stokes, 429 Southgate for a rezone from Residential District to Mixed Residential District to allow for a mobile home. Mr. Stokes addressed the Council and stated when he bought the property years ago there was a mobile home on this property. He was under the impression that he could put another mobile home there but later found out that time had lapsed and a mobile home could not be moved back on this property. He has cleared all this property out and made it look a lot nicer. This mobile home was moved to this address to house some of his employees at Kim Kool. He is not devaluing the neighborhood. Mr. Koonce stated that Mr. Stokes had told him that if he wasn't allowed to leave the mobile home there then he would build a house. Mr. Hansen, Southgate Street, addressed the Council and stated that this is not a mobile home it is a travel trailer. The City doesn't allow travel trailers in the city. Mr. Duncan asked Aaron Stokes, son of Dyrell Stokes, if they got a permit when they moved the mobile home there. Aaron stated that at the time they moved the mobile home they thought it was a travel trailer and didn't need a permit. Mr. Koonce stated that he would like to please both sides but that's

impossible. He doesn't feel that there will be a traffic or noise problem but the immediate neighbors aren't for this. After neighbors spoke for and against this rezone, motion was then made by Mr. Koonce seconded by Mrs. Tower to deny this rezone and uphold the zoning decision. After discussing whether or not this was the correct way to make the motions, motions were then withdrawn by Mr. Koonce and Mrs. Tower. Motion was then made by Mr. Koonce seconded by Mrs. Tower to deny the request for the rezone.

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 rezone failed on this 9th day of April, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a public hearing on ordinance to allow Habco, LLC, Jules Habetz, 210 S. Cities Service, for a rezone from Residential District to Business District. Motion was made by Mrs. Ellender seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 765, M-C SERIES

AN ORDINANCE GRANTING A RE-ZONE FROM RESIDENTIAL DISTRICT TO BUSINESS DISTRICT OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR, LOUISIANA, TO HABCO, LLC, JULES HABETZ, 210 S. CITIES SERVICE HWY., SULPHUR, LOUISIANA.

WHEREAS, the following described property located in the City of Sulphur, State of Louisiana, being rezoned from Residential District to Business District is owned by Habco, LLC, Jules Habetz, to-wit:

Lot 27 of Block 1 of Indian Hills Part 2 and the easterly half of the borrow pit adjoining the west side, a subdivision of the Southern

Quarter of the Northwest Quarter of Section 6, Township 10 South, range 9 West.

WHEREAS, improvements on the property will be for a Business District use and a 6-8 foot privacy fence will be constructed across the entire western boundary of lot. Further, a 20 foot buffer zone shall be between the western boundary line and the construction of any improvements.

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 Business District to Habco, LLC, Jules Habetz, for the following described property to wit:

Lot 27 of Block 1 of Indian Hills Part 2 and the easterly half of the borrow pit adjoining the west side, a subdivision of the Southern Quarter of the Northwest Quarter of Section 6, Township 10 South, range 9 West.

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 9th day of April, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a public hearing on ordinance to allow Habco, LLC, Jules Habetz, 208 S. Cities Service, for a rezone from Residential District to Business District. Motion was made by Mrs. Ellender seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 766, M-C SERIES

AN ORDINANCE GRANTING A RE-ZONE FROM RESIDENTIAL DISTRICT TO BUSINESS DISTRICT OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR, LOUISIANA, TO HABCO, LLC, JULES HABETZ, 208 S. CITIES SERVICE HWY., SULPHUR, LOUISIANA.

WHEREAS, the following described property located in the City of Sulphur, State of Louisiana, being rezoned from Residential District to Business District is owned by Habco, LLC, Jules Habetz, to-wit:

Lot 28 of Block 1 of Indian Hills Part 2 and the easterly half of the borrow pit adjoining the west side, a subdivision of the Southern Quarter of the Northwest Quarter of Section 6, Township 10 South, range 9 West.

WHEREAS, improvements on the property will be for a Business District use and a 6-8 foot privacy fence will be constructed across the entire western boundary of lot. Further, a 20 foot buffer zone shall be between the western boundary line and the construction of any improvements.

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 rezone from Residential District to Business District to Habco, LLC, Jules Habetz, for the following described property to wit:

Lot 28 of Block 1 of Indian Hills Part 2 and the easterly half of the borrow pit adjoining the west side, a subdivision of the Southern Quarter of the Northwest Quarter of Section 6, Township 10 South, range 9 West.

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 9th day of April, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a public hearing on ordinance to allow Donald Daigle, 907 Franklin Street for a variance to allow for two dwellings on one lot. Motion

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

ORDINANCE NO. 767, M-C SERIES

AN ORDINANCE GRANTING A VARIANCE TO ARTICLE IV, PART 3, SECTION 2 (2) OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR, LOUISIANA, TO DONALD DAIGLE, 907 FRANKLIN STREET, SULPHUR, LOUISIANA, TO EXEMPT CERTAIN PROPERTY AND IMPROVEMENTS.

WHEREAS, the following described property located in the City of Sulphur, State of Louisiana, is owned by Donald Daigle, 907 Franklin Street, Sulphur, Louisiana 70663, to-wit:

LOT 4 BLK 5 JASPER STINE ADD

WHEREAS, improvements on the property will include two dwellings on one lot. And once sibling no longer lives in garage apartment it shall revert back to a garage and no other person shall be allowed to occupy it.

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 variance to Donald Daigle, 907 Franklin Street, of Article IV, Part 3, Section 2 (2) to exempt the following described property to wit:

LOT 4 BLK 5 JASPER STINE ADD

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

No work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this variance 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 9th day of April, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a public hearing on ordinance to allow the following lots of Magnolia Forest #2 Subdivision to rezone from Business District to Residential District in accordance with subdivision restrictions:

- a. Lot 6 – 100 Marilyn Drive
- b. Lot 5 – 3804 Maplewood Drive
- c. Lot 4 – 3808 Maplewood Drive
- d. Lot 3 – 3812 Maplewood Drive
- e. Lots 2 & 1 – 3816 Maplewood Drive

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

ORDINANCE NO. 768, M-C SERIES

AN ORDINANCE GRANTING A RE-ZONE FROM BUSINESS DISTRICT TO RESIDENTIAL DISTRICT OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR, LOUISIANA, TO RESIDENTS OF LOTS 1-6 OF MAGNOLIA FOREST #2 SUBDIVISION, SULPHUR, LOUISIANA.

WHEREAS, the following described property located in the City of Sulphur, State of Louisiana, being rezoned from Business District to Residential District, to-wit:

Lots 1 & 2 – 3816 Maplewood Drive
Lot 3 – 3812 Maplewood Drive
Lot 4 – 3808 Maplewood Drive
Lot 5 – 3804 Maplewood Drive
Lot 6 – 100 Marilyn Drive

WHEREAS, the City of Sulphur inadvertently zoned these properties incorrectly in 2003; and

WHEREAS, said perpetual restrictions state that these properties shall be for residential purposes only.

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 Business District to Residential District to residents of Lots 1-6 of Magnolia Forest #2 Subdivision, for the following described property to wit:

Lots 1 & 2 – 3816 Maplewood Drive
Lot 3 – 3812 Maplewood Drive
Lot 4 – 3808 Maplewood Drive
Lot 5 – 3804 Maplewood Drive
Lot 6 – 100 Marilyn Drive

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.

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 9th day of April, 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 (3) (b) 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. 769, 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 Land Use Commission of the City of Sulphur 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
Schools, Churches	-----	10000 sf	20 ft	5 ft	10 ft	50 ft

A vote was then taken 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 9th day of April, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda an introduction of ordinance amending Ordinance No. 283 to provide for Section 4 – Cost of Living Adjustment. Motion was made by Mrs. Ellender seconded by Mr. Moss that the following ordinance be introduced:

ORDINANCE AMENDING ORDINANCE NO. 283, M-C SERIES TO PROVIDE FOR SECTION 4 – COST OF LIVING ADJUSTMENT.

Motion was then made by Mrs. Ellender 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 ORDINANCE NO. 283, M-C SERIES TO PROVIDE FOR SECTION 4 – COST OF LIVING ADJUSTMENT.

A public hearing on said ordinance will be held at 5:30 p.m. on the 14th day of May, 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 the Code of Ordinances to provide for a communications tower ordinance. Motion was made by Mrs. Ellender seconded by Mr. Moss that the following ordinance be introduced:

ORDINANCE AMENDING CHAPTER 13.5, TO PROVIDE FOR SECTION 41 -TOWER ORDINANCE.

Motion was then made by Mrs. Ellender 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 13.5, TO PROVIDE FOR SECTION 41 -TOWER ORDINANCE.

A public hearing on said ordinance will be held at 5:30 p.m. on the 14th day of May, 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 18-22 of the Code of Ordinances to provide for section (n) for Letter of No Objection (Drainage). Motion was made by Mrs. Tower seconded by Mr. Koonce that the following ordinance be introduced:

ORDINANCE AMENDING CHAPTER 18, SECTION 22 OF THE CODE OF ORDINANCE OF THE CITY OF SULPHUR TO PROVIDE FOR SECTION 18-22 (n) DRAINAGE.

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 CHAPTER 18, SECTION 22 OF THE CODE OF ORDINANCE OF THE CITY OF SULPHUR TO PROVIDE FOR SECTION 18-22 (n) DRAINAGE.

A public hearing on said ordinance will be held at 5:30 p.m. on the 14th day of May, 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 approving the Intergovernmental Agreement with the City of Westlake for Wastewater Transport and Treatment Services. Motion was made by Mr. Koonce seconded by Mr. Moss that the following ordinance be introduced:

ORDINANCE APPROVING THE INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF WESTLAKE FOR WASTEWATER TRANSPORT AND TREATMENT SERVICES.

Motion was then made by Mr. Koonce 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 APPROVING THE INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF WESTLAKE FOR WASTEWATER TRANSPORT AND TREATMENT SERVICES.

A public hearing on said ordinance will be held at 5:30 p.m. on the 14th day of May, 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 declaring certain surplus property for the City of Sulphur (vehicle). Motion was made by Mrs. Tower seconded by Mr. Koonce that the following ordinance be introduced:

**AN ORDINANCE DECLARING CERTAIN SURPLUS MOVABLE
PROPERTY OF THE CITY OF SULPHUR AND PROVIDING FOR THE
TRANSFER THEREOF.**

Motion was then made by Mr. Koonce 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:

**AN ORDINANCE DECLARING CERTAIN SURPLUS MOVABLE
PROPERTY OF THE CITY OF SULPHUR AND PROVIDING FOR THE
TRANSFER THEREOF.**

A public hearing on said ordinance will be held at 5:30 p.m. on the 14th day of May, 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 authorizing the advertisement of bids for aluminized steel pipe and bituminous coated corrugated steel pipe. Motion was made by Mrs. Tower seconded by Mrs. Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 1978, M-C SERIES

Resolution authorizing advertisement for bids for aluminized steel pipe and bituminous coated corrugated steel pipe.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize the advertisement for bids for aluminized steel pipe and bituminous coated corrugated steel pipe, 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 aluminized steel pipe and bituminous coated corrugated steel pipe will be received by the Clerk of the Council until 10:00 a.m. on the 1st day of May, 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 14th day of May, 2007 at 5:30 p.m.

CITY OF SULPHUR, LOUISIANA

BY _____
CHRISTOPHER L. DUNCAN, Chairman

BE IT FURTHER RESOLVED that the City Council of the City of Sulphur, Louisiana will meet in open and public session at the regular place in the Council Chambers at City Hall on the 14th day of May, 2007 at 5:30 p.m. and shall then and there proceed to award the bids to the lowest bidder or to reject any and all bids, otherwise proceed thereto as provided by law.

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 9th day of April, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on agenda a resolution requesting action to be taken by DOTD regarding the turn lane on Cities Service Highway in front of Wal-Mart. Motion was made by Mrs. Tower seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 1979, M-C SERIES

Resolution requesting action to be taken by LA D.O.T.D. regarding the turn lane on Cities Service Hwy. in front of Sulphur Wal-Mart.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby request immediate action to be taken by LA D.O.T.D. to correct the serious problem with the turn lane on Cities Service Highway in front of the Sulphur Wal-Mart.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Representative Ronnie Johns and Senator Willie Mount requesting their support in this endeavor.

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 9th day of May, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda is the Mayor's response to voluntary recycling plan. Mayor LeLeux stated that he was in full support of the recycling and every City of Sulphur facility will have the recycling containers but they will only be used by City employees. He would also like to see every business in Sulphur participate in this.

The next item on the agenda a resolution accepting Substantial Completion for Shasta Street Water Tower Painting Project. Motion was made by Mrs. Tower seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 1980, M-C SERIES

Resolution accepting Substantial Completion on the Shasta Street Water Tower Painting Project.

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 Shasta Street Water Tower Painting Project.

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 9th day of April, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a resolution award low bid received for 2006-2007 Overlay Project and Chestnut, Acadienne, Gabriel and Augustine Street Paving Project. Motion was made by Mrs. Tower seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 1981, M-C SERIES

Resolution awarding low bid received for 2006-2007 Overlay Project and Chestnut, Acadienne, Gabriel and Augustine Street Paving Project.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for the 2006-2007 Overlay Project and Chestnut, Acadienne, Gabriel and Augustine Street Paving Project were opened and read aloud in an open and public bid session on Monday, April 9, 2007, at 9:00 a.m., and the bids were as follows:

	<u>Part I</u>	<u>Part II</u>	<u>Part II</u>	<u>Part IV</u>	<u>Part V</u>
<u>Contractor</u>	Overlay	Chestnut	Gabriel	Acadienne	Augustine
R.C. Paving DeRidder Asphalt, Inc.	\$399,649.00	\$127,000.75	\$48,951.30	\$60,177.90	\$47,884.10
TOTAL BID FOR ALL STREETS = \$683,663.05					

BE IT RESOLVED that the City Council does hereby accept the recommendation of Mayor Ron LeLeux and award the bid for the 2006-2007 Overlay Project and Chestnut, Acadienne, Gabriel and Augustine Street Paving Project as follows:

	<u>Part I</u>	<u>Part II</u>	<u>Part II</u>	<u>Part IV</u>	<u>Part V</u>
<u>Contractor</u>	Overlay	Chestnut	Gabriel	Acadienne	Augustine
R.C. Paving DeRidder Asphalt, Inc.	\$399,649.00	\$127,000.75	\$48,951.30	\$60,177.90	\$47,884.10
TOTAL BID FOR ALL STREETS = \$683,663.05					

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 9th day of April, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda Public to Address Council. William Wallace, Woodland Terrace, addressed the Council regarding the drainage on Woodland Street. He presented photos of before and after the City cleaned the drains.

James O'Quain, Lafargue Street, addressed the Council concerning his neighbor hauling dirt and getting mud all over the street. He wanted to know if he had to clean it. He was also concerned about the dirt on his neighbors property flooding his property.

Geoff Russell, 1224 Bernadette, Mr. Russell read a letter from his neighbor in favor of the Council continuing the filming of the Council meetings.

Bill LeBlanc, Roberta Drive, addressed the Council and stated that his Council representative already knew how the vote was going to turn out on the videoing of the Council meetings. She may have violated the Sunshine Law. The Council wanted cameras at the redlights to video the violators, now the Council doesn't want to be videoed at their meetings. (Mrs. Ellender stated that she did not break the Sunshine Law).

C.J. Vincent, 435 Logan, addressed the Council and went over Roberts Rules of Order.

Charlie Watson addressed the Council and stated that the Council has to make tough decisions and he appreciates them, but he can see some real animosity between Council members that they need to work out. He also stated that he doesn't understand agenda meetings because every month the Council adds, deletes and rearranges the whole agenda.

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

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

4/9/07
8:51 P.M.