

JUNE 11, 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 June 11, 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. Joe Gosselin, followed by the reciting of the Pledge of Allegiance led by Mr. Koonce.

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 Mrs. Ellender that the minutes stand as written. Motion carried.

The Chairman then asked if there were any changes to the agenda. Motion was made by Mr. Duncan seconded by Mr. Moss that 1319 Cypress be removed from Rule to Show Cause. Motion carried.

Motion was then made by Mr. Duncan seconded by Mr. Moss that item #20 be added to the agenda. Motion carried.

Motion was then made by Mr. Duncan 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 June. Mayor LeLeux presented a certificate to George VanderHey.

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. Ellender seconded by Mr. Moss that a 6 month extension be granted to the following addresses: 502 Barrett, 825 N. Claiborne, 841 West Brimstone. Motion carried.

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

1122 West Verdine #81 – Mrs. VanderHey stated that the owners are repairing and she would recommend giving them a 30 day extension. Motion was then made by Mrs. Ellender seconded by Mr. Koonce that the above address be granted a 30 day extension. Motion carried.

303 West Burton – Mrs. Ellender stated that the owners are ready to demolish it. Motion was made by Mrs. Ellender seconded by Mr. Duncan that this address be granted a Rule to Show Cause. Motion carried.

908 West Napoleon – Mrs. VanderHey stated that this address is in the court process but hasn't gone to trial. Laura Thibodeaux, owner, stated that she has owned this property for 52 years but the neighbor says it's his property. Motion was made by Mr. Koonce seconded by Mr. Moss that this address be granted a Rule to Show Cause. After discussion, the above motion was then amended by Mr. Koonce seconded by Mr. Duncan to wait for the outcome of the Court's decision and give the owner a 60 day extension. Motion carried.

301 Navarre – Mrs. VanderHey stated that the owners have asked for a 90 day extension. Angelle LaFleur, the owner's daughter, addressed the Council and stated that June 23 and July 7 are two dates that the family has set for clean-up days. Motion was made by Mr. Koonce seconded by Mrs. Ellender that this address be granted a 90 day extension. Motion carried.

307 Navarre – Mr. Crochet, owner, addressed the Council and stated that he has put new windows and doors and has cleaned it up. He has applied for Road Home but hasn't heard anything from them. Mrs. VanderHey stated that all utilities were disconnected in 1999. Mr. Crochet stated that he wasn't living in the home when the hurricane hit. After discussion, motion was made by Mr. Koonce seconded by Mr. Moss that this address be given a 30 day extension. Motion carried.

1816 East Burton – Mrs. VanderHey stated that the storage shed was damaged by the hurricane and the owners recently put new tin on the building but it is still not secure. Motion was made by Mr. Duncan seconded by Mr. Koonce that this address be granted Rule to Show Cause. Motion carried.

430 Post Oak Road 8B – Motion was made by Mr. Duncan seconded by Mr. Koonce that this address be granted a 30 day extension with the stipulation that the building is secure and the grass mowed. Motion carried.

106 Hazel Street – Mrs. VanderHey stated that the Council has previously given this owner a 60 day extension, then a 30 day extension and the home is still in the same condition. The owner went to the permit department to get the permit to tear it down today but could not get the permit because their 30 day extension had expired. Mrs. Tower stated that she would like to see them only have to demolish the back portion of

the home. Mr. Moss stated that these owners have had plenty of time to do what they were supposed to do but they waited until the last minute. Motion was then made by Mr. Moss seconded by Mrs. Ellender that this address be granted a Rule to Show Cause. Mrs. VanderHey then stated that if the Council does a Rule to Show Cause on this address, the owner will have 30 days to demolish the back portion of the home and then the City wouldn't have to demolish the entire structure. Mr. Duncan stated that since State Farm has a claim on this and if they tell the City to back off, will the City back off until this is settled? Mr. Drost stated, yes. After discussion, the previous motion carried.

The next item on the agenda a public hearing on ordinance amending Ordinance No. 665, M-C Series, No-Smoking. Mr. Duncan stated that the Council needs to do away with this ordinance they are trying to adopt and adopt the state law with several amendments. After discussion, motion was made by Mr. Duncan seconded by Mrs. Ellender that the following ordinance be amended:

ORDINANCE AMENDING CHAPTER 13.5, ARTICLE II OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR TO ADOPT A SMOKE-FREE AIR ORDINANCE.

Motion carried.

Motion was then made by Mr. Duncan seconded by Mrs. Ellender that the following amendment be added:

Special Events – Smoking shall be prohibited in or on all open air property owned by the City of Sulphur during special events sponsored in whole or part by the City of Sulphur, including but not limited to the Heritage Days Festival and Christmas Under the Oaks.

Motion carried.

Motion was then made by Mr. Duncan seconded by Mrs. Ellender that the following amendment be added:

Reasonable Distance – Smoking is prohibited within a reasonable distance of 25 feet outside an enclosed area where Smoking is prohibited, so as to insure that tobacco smoke does not enter or migrate into the enclosed area through entrances, windows, ventilation systems, or other means.

Motion carried.

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

ORDINANCE NO. 781, M-C SERIES

ORDINANCE AMENDING CHAPTER 13.5, ARTICLE II OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR TO ADOPT A SMOKE-FREE AIR ORDINANCE.

Sec. 13.5-21. Smoke-free Air

(a) Purpose

The City Council finds and determines that it is in the best interest of the people of this city to protect nonsmokers from involuntary exposure to secondhand smoke in most indoor areas open to the public, public meetings, restaurants, and places of employment. The City Council further finds and determines that a balance should be struck between the health concerns of nonconsumers of tobacco products and the need to minimize unwarranted governmental intrusion into and regulation of private spheres of conduct and choice with respect to the use or nonuse of tobacco products in certain designated public areas and in private places. Therefore, the City Council hereby declares that the purpose of this Part is to preserve and improve the health, comfort, and environment of the people of this city by limiting exposure to tobacco smoke.

(b) Definitions

For the purposes of this Part, the following terms shall have the following meanings unless the context clearly indicates otherwise:

- (1) "Bar" means a business that holds a Class A-General retail permit and the primary purpose of such business is to serve alcoholic beverages for consumption by guests on the premises and in which the serving of food is only incidental to the consumption of those beverages,

including but not limited to, taverns, nightclubs, cocktail lounges, and cabarets.

- (2) "Business" means any corporation, sole proprietorship, partnership, limited partnership, professional corporation, enterprise, franchise, association, trust, joint venture, or other entity.
- (3) "Department" means the Department of Health and Hospitals.
- (4) "Employer" means an individual or a business that employs one or more individuals.
- (5) "Enclosed area" means all space between a floor and ceiling that is enclosed on all sides by solid walls or windows, exclusive of doorways, which extend from the floor to the ceiling.
- (6) "Local governing authority" means a municipal or parish governing authority.
- (7) "Place of employment" means an area under the control of an employer that employees normally frequent during the course of employment, including, but not limited to, work areas, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias, hallways, and vehicles. A private residence is not a place of employment unless it is used as a licensed child care, adult day care, or health care facility.
- (8) "Public building" means any building owned or operated by any of the following:
 - (a) The state, including the legislative, executive, and judicial branches of state government.
 - (b) Any parish, city, or town, or instrumentality thereof, or any other political subdivision of the state, special district, authority, commission, or agency.
 - (c) Any other separate corporate instrumentality or entity of state or local government.
- (9) "Public place" means an enclosed area to which the public is invited or in which the public is permitted which is not a public building, including but not limited to banks, educational facilities, health care facilities, hotel and motel lobbies, laundromats, public transportation facilities, reception areas, restaurants, retail food production and marketing establishments, retail service establishments,

retail stores, shopping malls, sports arenas, theaters, and waiting rooms.

- (10) "Restaurant" means an eating establishment, including but not limited to, coffee shops, cafeterias, sandwich stands, and school cafeterias, which gives or offers for sale food to the public, guests, or employees, as well as kitchens and catering facilities in which food is prepared on the premises for serving elsewhere. The term "restaurant" shall include a bar located within a restaurant.
- (11) "Retail tobacco business" means a business utilized primarily for the sale of tobacco products and accessories and in which the sale of other products is incidental.
- (12) "School" means any elementary or secondary school building, the campus of any school, any buildings on the campus, and all school buses.
- (13) "Secondhand smoke" means smoke emitted from lighted, smoldering, or burning tobacco when the smoker is not inhaling, smoke emitted at the mouthpiece during puff drawing, and smoke exhaled by the smoker.
- (14) "Smoking" means inhaling, exhaling, burning, carrying, or possessing any lighted tobacco product, including cigarettes, cigars, pipe tobacco, and any other lighted combustible plant material.

(c) *General smoking prohibitions; exemptions*

A. Except as permitted by Subsection B of this Section, no person shall:

- (1) Smoke in any public building.
- (2) Smoke in any school.
- (3) Smoke in any public place and in any enclosed area within a place of employment.
- (4) As an employer, knowingly permit smoking in any enclosed area within a place of employment.

B. Nothing in this Part shall prohibit smoking in any of the following places:

- (1) Private homes, private residences, and private automobiles;

except that this Subsection shall not apply if any such home, residence, or vehicle is being used for child care or day care or if a private vehicle is being used for the public transportation of children or as part of health care or day care transportation in which case smoking is prohibited.

- (2) Limousines under private hire.
- (3) A hotel or motel room designated as a smoking room and rented to a guest; provided that a maximum of fifty percent of the hotel rooms, at the discretion of the hotel owner or general manager, available for rent to guests in a hotel or motel may be designated as smoking rooms.
- (4) Any retail tobacco business.
- (5) Any bar.
- (6) The outdoor area of places of employment; except that the owner or manager of such business may post signs prohibiting smoking in any such outdoor area, which shall have the effect of making that outdoor area an area in which smoking is prohibited under the provisions of this Part.
- (7) Private and semiprivate rooms or apartments in assisted living residences, and other long-term care facilities that are occupied by one or more persons, who are all smokers and who have requested in writing to be placed in a room where smoking is permitted; provided that smoke from such rooms or apartments does not infiltrate into areas where smoking is prohibited under the provisions of this Part.
- (8) Designated smoking areas in which gaming operations are permitted to occur upon a riverboat, at the official gaming establishment, at a facility licensed for the operation of electronic video draw poker devices, at an eligible facility licensed for the operation of slot machines, by a licensed charitable organization, or at a pari-mutuel wagering facility or off-track wagering facility which is licensed for operation and regulated under the provisions of Chapters 4 and 11 of Title 4 and Chapters 4, 5, 6, and 7 of Title 27 of the Louisiana Revised Statutes of 1950, or any other gaming operations authorized by law, except that smoking shall be prohibited in all restaurants, including snack bars and any other type of eating area whether or not such area is separated from the gaming area, that are located within the facilities where gaming operations are

conducted regardless of any type of license issued relevant to the operation of the restaurant.

- (9) All workplaces of any manufacturer, importer, wholesaler or distributor of tobacco products, of any tobacco leaf dealer or processor, and all tobacco storage facilities.
 - (10) Convention facilities during the time such facilities are being used for professional meetings and trade shows which are not open to the public that are produced or organized by tobacco businesses or convenience store associations where tobacco products are displayed and limited to the location of such meetings or shows and during the time such facilities are used by a carnival organization, traditionally known as a krewe or a courir de Mardi Gras for the purpose of the conduct of a Mardi Gras ball and limited to the location of such ball.
 - (11) Designated and well ventilated smoking rooms in nursing homes which permit smoking.
 - (12) A hotel or motel room operated by a casino or gaming operation which is rented to a guest.
 - (13) An outdoor patio, whether or not food is served.
 - (14) Any state, local, or private correctional facility prior to August 15, 2009. After August 15, 2009, smoking shall be prohibited in any state, local, or private correctional facility.
- C. An individual, person, entity, or business subject to the smoking prohibitions of this Section shall not discriminate or retaliate in any manner against a person for making a complaint regarding a violation of this Section or for furnishing information concerning a violation to an enforcement authority.
- D. Nothing in this Part shall be construed to restrict the power of any parish, city, town, or village to adopt and enforce additional local laws, ordinances, or regulations that comply with at least the minimum applicable standards to establish smoke-free public places as set forth in this Part.

(d) *Notice of prohibition of smoking*

- A. "No smoking" signs or the international "No smoking" symbol consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it shall be clearly and conspicuously posted by the owner, operator, manager, or other person in control in every public building, public place, and place of employment where smoking is prohibited by this Part.
- B. The owner, operator, manager, or other person in control shall remove all ashtrays from any area where smoking is prohibited by this Part.
- C. The Department of Health and Hospitals may treat a violation of this Section as a deficiency to be assessed against any licensee or facility over which it has statutory jurisdiction.

(e) *Enforcement; penalties*

- A.
 - (1) Any violation of any prohibition in R.S. 40:1300.256(A) may be cited by any law enforcement officer by the issuance of a citation and summons to appear before a court of proper jurisdiction.
 - (2) Such citations shall be in a form such that there shall be retained in each book of citations a receipt and each shall have a copy to be deposited by the law enforcement officer with a court having jurisdiction over the alleged offense.
 - (3) Upon the deposit of the copy, the court shall notify the alleged violator of the time and place of his hearing or of his opportunity to plead guilty by the payment of his specified fine. Failure to appear, unless the fine is paid, may be punished within the discretion of the court as contempt of court.
- B.
 - (1)(a) Any person who is guilty of a violation of the prohibition in R.S. 40:1300.256(A)(1), (2), and (3) shall, upon a first offense, be fined twenty-five dollars.
 - (b) Any person who is guilty of violating such prohibition a second time shall be fined fifty dollars.
 - (c) Any person who is guilty of violating such prohibition a third or subsequent time shall be fined one hundred dollars.
- (2)(a) Any employer who is guilty of a violation of the prohibition

in R.S. 40:1300.256(A)(4) shall, upon a first offense, be fined one hundred dollars.

- (b) Any employer who is guilty of violating such prohibition a second time shall be fined two hundred fifty dollars.
- (c) Any employer who is guilty of violating such prohibition a third or subsequent time shall be fined five hundred dollars.

(f) *Tobacco Control Program Fund; establishment*

- A. One-half of all fines imposed and collected pursuant to this Part shall be transmitted to the office of public health in the Department of Health and Hospitals and shall be deposited by such office in a special fund established in the state treasury to be known as the Tobacco Control Program Fund, hereinafter referred to as "the fund" as provided in this Subsection.
- B. Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state that become due and payable within a fiscal year, the treasurer in each fiscal year shall pay into the fund an amount equal to the total amount of fines imposed, collected, and transmitted to the office of public health in the Department of Health and Hospitals pursuant to this Part.
- C. The total amount of monies in the fund shall annually be appropriated to the office of public health to be used by such office solely for the purpose of funding the efforts of the office of public health in the Tobacco Control Program.
- D. All unexpended and unencumbered monies in the fund at the end of a fiscal year shall remain in the fund and be available for appropriation in the next fiscal year in the same manner as allocated herein. Monies in the fund shall be invested as provided by law. After compliance with the provisions of law concerning the Bond Security and Redemption Fund, interest earned on the investment of monies in the fund shall be credited to the fund.

(g) *Further Prohibitions*

Pursuant to R.S. 40:1300.256 (D) the City of Sulphur prohibits smoking:

1. Smoking is prohibited within a reasonable distance of twenty-five (25) feet outside an enclosed area where smoking is prohibited, so as to insure that tobacco smoke does not enter or migrate into the

enclosed area through entrances, windows, ventilation systems, or other means.

2. Smoking shall be prohibited in or on all open air property owned by the City of Sulphur during special events sponsored in whole or part by the City of Sulphur, including but not limited to the Heritage Days Festival and Christmas Under the Oaks.

This Ordinance shall become effective upon the 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 11th day of June, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda a public hearing on ordinance abolishing Chapter 13.5-22 through 13.5-31 Smoking Prohibited; Public Places. Mr. Duncan stated that this section will be removed from the Code of Ordinances since they will be adopting the state's no-smoking law. Motion was then made by Mr. Duncan seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 782, M-C SERIES

ORDINANCE ABOLISHING CHAPTER 13.5-22 THROUGH 13.5-31 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR (SMOKING PROHIBITED; PUBLIC PLACES).

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that Chapter 13.5-22 through 13.5-31, adopted in March 1993 hereby be abolished.

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 11th day of June, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda a public hearing on ordinance amending Chapter 8-1 (f) of the Code of Ordinances of the City of Sulphur (unnecessary noise). Motion was made by Mr. Duncan seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 783, M-C SERIES

ORDINANCE AMENDING CHAPTER 8-1 (F) OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – UNNECESSARY NOISE.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that Chapter 8-1 (f) of the Code of Ordinances of the City of Sulphur be amended to read as follows:

- (f) Any person shall be in violation of this article if two (2) witnesses, not in the same household, but in the immediate neighborhood, complain of the same violation and sign statements describing the activity. Upon possession of the signed statements, or upon witnessing the violation in person, the law enforcement officer may immediately issue a citation to the violator. A copy of the citation along with any statements shall be presented to the city prosecutor.

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 11th day of June, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda a public hearing on ordinance amending Chapter 4-69 (9) of the Code of Ordinances of the City of Sulphur (declaration as a public nuisance). Motion was made by Mr. Duncan seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 784, M-C SERIES

ORDINANCE AMENDING CHAPTER 4-69 (9) OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – DECLARATION AS A PUBLIC NUISANCE.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that Chapter 4-69 (9) of the Code of Ordinances of the City of Sulphur be amended to read as follows:

- (9) Causes unsanitary conditions or odors about the premises of the owner through urination or defecation.

is deemed and declared a public nuisance. Any person shall be in violation of this article if two (2) witnesses, not in the same household, but in the immediate neighborhood, complain of the same violation and sign statements describing the activity. Upon possession of the signed statements, or upon witnessing the violation in person, the law enforcement officer may immediately issue a citation to the violator. A copy of the citation along with any statements shall be presented to the city prosecutor. Said animal may be seized by the director or his/her designated agents and impounded at the animal control shelter.

Provided further, upon the second offense of the same violation and/or subparagraph by the same animal, within six (6) months of each violation, the owner and/or caretaker of said animal shall be served written notice that upon the third offense of the same violation and/or subparagraph the animal will be impounded by the director or his/her designated agents and destroyed by euthanasia or placed with a suitable person upon proof that person shall prevent the animal from further nuisance offenses.

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 11th day of June, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda a public hearing on ordinance amending Chapter 8, Article 1 of the Code of Ordinances of the City of Sulphur to provide for Section 4 – Purchasers of copper, copper wire, alloy, bronze, zinc, aluminum, or brass; purchasers of railroad track materials; requirements to keep register and report; penalties. Mr. Moss stated that this will eliminate individuals from accumulating junk on subdivision property. Motion was made by Mr. Moss seconded by Mr. Duncan that the following ordinance be adopted to-wit:

ORDINANCE NO. 785, M-C SERIES

ORDINANCE AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR TO PROVIDE FOR SECTION 4 – PURCHASERS OF COOPER, COOPER WIRE, ALLOY, BRONZE ZINC, ALUMINUM, OR BRASS; PURCHASERS OF RAILROAD TRACK MATERIALS, REQUIREMENTS TO KEEP REGISTER AND REPORT; PENALTIES.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that Chapter 8 of the Code of Ordinances of the City of Sulphur be amended to add the following:

Sec. 8-4. Purchasers of copper, copper wire, alloy, bronze, zinc, aluminum, or brass; purchasers of railroad track materials; requirement to keep register and report; penalties

A. (1) Every individual, firm, corporation, or partnership, except municipalities, political subdivisions, and public utility companies, engaged in the business of purchasing and reselling any of the materials provided for in Paragraph (2) of this Subsection, located either at a permanently established place of business or in connection with a business of an itinerant nature, including junk shops, junk yards, junk stores, auto wreckers, scrap metal dealers or processors, salvage yards, collectors of or dealers in junk or secondhand property, and junk trucks, shall keep a register and file reports in the form prescribed by the Department of Public Safety and Corrections which shall contain the following information:

(a) The name and address of the residence or place of business of such Person required to keep the register and file reports.

(b) The date and place of each such purchase.

(c) The name and address of the person or persons from whom such material was purchased.

(d) The motor vehicle license number of the vehicle or conveyance on which such material was delivered.

(e) A full description of all such material purchased including the weight and whether it consists of bars, cable, ingots, rods, tubing wire, wire scraps, clamps, connectors, or other appurtenances or some combination thereof.

(f) A full description of railroad track materials in excess of five hundred pounds purchased including the weight and whether it consists of rail, switch components, spikes, angle bars, tie plates, or bolts of the type used to construct railroads or other appurtenances or some combination thereof.

(2) This Section shall apply to the following materials or any other appurtenance utilized or that can be utilized by common carriers or by persons, firms, corporations, cooperatives, or municipal corporations engaged in either the generation, transmission, or distribution of electric energy or in telephone, telegraph, or other communications:

- (a) Copper, copper wire, copper alloy, bronze, zinc, aluminum other than in the form of cans, or brass, whether in the form of bars, cable, ingots, rods, tubing, wire, wire scraps, clamps, or connectors.
 - (b) Steel in the form of railroad tracks or in the form of rail, switch components, spikes, angle bars, tie plates, or bolts of the type used in constructing railroads, or any combination of such materials valued in excess of five hundred dollars.
- (3) The name and address of the person or persons from whom such material was purchased.
 - (4) The motor vehicle license number of the vehicle or conveyance on which such material was delivered.
 - (5) A full description of all such material purchased including the weight and whether it consists of bars, cable, ingots, rods, tubing wire, wire scrapes, clamps, connectors, or other appurtenances or some combination thereof.
- B. (1) Each such person shall keep one copy of such completed form in a separate register or book which shall be kept for a period of two years at his place of business and shall be made available for inspection by any peace officer or law enforcement official at any time.
- (2) Within three days from such day of purchase or acquisition one copy of the completed form or report shall be filed with the Sulphur Police Department in which any such purchase is made and with the Sulphur Police Department in which such business is located, and one copy shall be filed with or mailed to the Louisiana Department of Public Safety and Corrections.
 - (3) For a period of not less than ten days from the date on which all of the reports required hereby have been filed in connection with such an acquisition, such material purchased or acquired shall be held in the same form, without change, in which it was acquired, and shall be kept separated so that it is readily identifiable from all other purchases.
- C. Failure to maintain the register or to report to the Sulphur Police Department or Department of Public Safety and Corrections as required by this Section shall be prima facie evidence that the person receiving such material described in this Section and not registered or reported, received it knowing it to be stolen, in violation of R.S. 14:69.

D. Whoever violates this Section shall be fined not less than two hundred fifty dollars nor more than five hundred dollars or imprisoned for not more than six months, or both.

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 11th day of June, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda a public hearing on ordinance amending and re-adopting the General Fund, Sales Tax Fund Budget and Capital Projects Budget for fiscal year ending June 30, 2007. Motion was made by Mr. Moss seconded by Mr. Duncan that the following ordinance be adopted to-wit:

ORDINANCE NO. 786, M-C SERIES

AN ORDINANCE AMENDING AND RE-ADOPTING THE GENERAL FUND BUDGET, SALES TAX FUND BUDGET AND CAPITAL PROJECTS 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, Sales Tax Budget and Capital Projects 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 11th day of June, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda a public hearing on ordinance granting a variance to Tim Broussard, 329 Picard Road, to allow for the eave on the west side of workshop to be located 2 feet from the rear property line instead of the required 5 feet. Motion was made by Mr. Duncan seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 787, M-C SERIES

AN ORDINANCE GRANTING A VARIANCE TO ARTICLE IV, PART 3, SECTION 1 (2) OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR, LOUISIANA, TO TIM BROUSSARD, 329 PICARD ROAD, 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 Tim Broussard, 329 Picard Road, Sulphur, Louisiana 70663, to-wit:

Commence at a point 286.5 feet North and 60 feet West of the Southeast Corner of the Northeast Quarter (NE/4) of Section Thirty-three (33), Township Nine (9) South, Range Ten (10) West, thence North parallel to the East line of said Section Thirty-three (33), a distance of 188.5 feet, thence South 89 degrees 11 minutes West a distance of 232.35 feet, thence South 0 degrees 25 minutes West parallel to the East line of said Section Thirty-three (33), a distance of 187.9 feet to the chain link fence, thence

North 89 degrees 20 minutes East a distance of 232.35 feet to the point of commencement.

WHEREAS, improvements on the property will include the eave on the west side of workshop to be located 2 feet from the rear property line instead of the required 5 feet.

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 Tim Broussard, 329 Picard Road, of Article IV, Part 3, Section 1 (2) to exempt the following described property to wit:

Commence at a point 286.5 feet North and 60 feet West of the Southeast Corner of the Northeast Quarter (NE/4) of Section Thirty-three (33), Township Nine (9) South, Range Ten (10) West, thence North parallel to the East line of said Section Thirty-three (33), a distance of 188.5 feet, thence South 89 degrees 11 minutes West a distance of 232.35 feet, thence South 0 degrees 25 minutes West parallel to the East line of said Section Thirty-three (33), a distance of 187.9 feet to the chain link fence, thence North 89 degrees 20 minutes East a distance of 232.35 feet to the point of commencement.

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 11th day of June, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda a public hearing on ordinance granting a rezone to Larry Trahan, southeast corner of Henning Drive and Broussard Road, from Residential District to Mixed Residential District to allow for the possibility of 12 duplexes. Motion was made by Mr. Duncan to uphold the Land Use Commission's decision. With no second to this motion, the Chairman allowed for a discussion on the issue. Jaime and Larry Trahan addressed the Council and stated that they will uphold all city ordinances. Dennis Bergeron stated that he was a little confused about the wording in the ordinance that requires Mr. Trahan to meet all city specifications on the road. Do we make him meet the 25' requirement or does he need to add the right-of-way to that? The Council needs to be specific on this wording. Motion was then made by Mr. Koonce seconded by Mr. Moss to postpone indefinitely.

A vote was then called with the results as follows:

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

NAYS: Mrs. Tower, Mr. Duncan

And the said ordinance was postponed indefinitely on this 11th day of June, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda a public hearing on ordinance granting a variance to Ladas Properties, 316 & 318 Parish Road, to allow for a duplex to be located 6 ½ feet from the rear property line instead of the required 10 feet. Motion was made by Mr.

Koonce seconded by Mr. Duncan that the following ordinance be adopted to-wit:

ORDINANCE NO. 788, M-C SERIES

AN ORDINANCE GRANTING A VARIANCE TO ARTICLE IV, PART 3, SECTION 1 (2) OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR, LOUISIANA, TO LADAS PROPERTIES, 316 & 318 PARISH ROAD, 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 Ladas Properties, 316 & 318 Parish Road, Sulphur, Louisiana 70663, to-wit:

Beginning at a point on the South line of the North Half of the Northwest Quarter of Section 3, Township 10 South, Range 10 West, Calcasieu Parish, Louisiana, at a distance of 775 feet West of the Southeast corner of said North Half of the Northwest Quarter of Section 3, thence West along the South line of said North Half of the Northwest Quarter of Section 3 and the approximate center of West Parish Road, for a distance of 328.49 feet to a point and corner; thence leaving the aforementioned road and run North 00 degrees 40 minutes 05 seconds East and passing over a 1/2" iron pipe, found in place, at 18.94 feet, and another ½ iron pipe found in place, at a distance of 653.60 feet, for a total distance of 671.67 feet to the South like of a concrete drainage canal or ditch; thence South 54 degrees 54 minutes 48 seconds East (record southeasterly) along the concrete drainage canal or ditch, for a distance of 125.66 feet to a point and corner on the east top bank of an existing drainage ditch; thence leaving the aforementioned drainage canal or ditch and run South 02 degrees 00 minutes 21 seconds East along the east top bank of said drainage ditch, and passing over a 5/8" rebar, set in place at 18.52 feet, for a total distance of 166.83 feet to a 5/8" rebar, set in place; thence South 00 degrees 20 minutes 06 seconds East along the east top bank of the aforementioned drainage ditch for a distance of 274.85 feet to a 5/8" rebar, set in place; thence leaving the east top bank of the aforementioned drainage ditch and

run South 89 degrees 09 minutes 22 seconds East for a distance of 212.19 feet to a 5/8" rebar, set in place; thence South 00 degrees 39 minutes 24 seconds West and passing over a 5/8" rebar, set in place, at 131.75 feet, for a total distance of 155.12 feet to the point beginning; containing 2.400 acres, more or less, and being subject to the existing right-of-way of West Parish Road, and any other rights-of-way, servitudes or easements, visible, invisible, recorded or unrecorded.

WHEREAS, improvements on the property will a duplex to be located 6 ½ feet from the rear property line instead of the required 10 feet.

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 Ladas Properties, 316 & 318 Parish Road, of Article IV, Part 3, Section 1 (2) to exempt the following described property to wit:

Beginning at a point on the South line of the North Half of the Northwest Quarter of Section 3, Township 10 South, Range 10 West, Calcasieu Parish, Louisiana, at a distance of 775 feet West of the Southeast corner of said North Half of the Northwest Quarter of Section 3, thence West along the South line of said North Half of the Northwest Quarter of Section 3 and the approximate center of West Parish Road, for a distance of 328.49 feet to a point and corner; thence leaving the aforementioned road and run North 00 degrees 40 minutes 05 seconds East and passing over a 1/2" iron pipe, found in place, at 18.94 feet, and another ½ iron pipe found in place, at a distance of 653.60 feet, for a total distance of 671.67 feet to the South like of a concrete drainage canal or ditch; thence South 54 degrees 54 minutes 48 seconds East (record southeasterly) along the concrete drainage canal or ditch, for a distance of 125.66 feet to a point and corner on the east top bank of an existing drainage ditch; thence leaving the aforementioned drainage canal or ditch and run South 02 degrees 00 minutes 21 seconds East along the east top bank of said drainage ditch, and passing over a 5/8" rebar, set in place at 18.52 feet, for a total distance of 166.83 feet to a 5/8" rebar, set in place; thence South 00 degrees 20 minutes 06 seconds East along the east top bank of the aforementioned drainage ditch for a distance of 274.85 feet to a 5/8" rebar, set in place; thence leaving the east top bank of the aforementioned drainage ditch and run South 89 degrees 09 minutes 22 seconds East for a distance of 212.19 feet to a 5/8" rebar, set in place; thence South 00 degrees 39 minutes 24 seconds West and passing over a 5/8" rebar, set in place, at 131.75 feet, for a total distance of 155.12 feet to the point beginning; containing 2.400 acres, more or less, and being subject to the existing right-of-way of West Parish Road, and any other rights-of-way, servitudes or easements, visible, invisible, recorded or unrecorded.

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 11th day of June, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda a public hearing on ordinance amending Article IV, Part 2, Section 5 (f) of the Land Use Ordinance of the City of Sulphur – Temporary Uses. Motion was made by Mr. Moss seconded by Mr. Koonce that the following ordinance be adopted to-wit:

ORDINANCE NO. 789, M-C SERIES

ORDINANCE AMENDING ARTICLE IV, PART 2, SECTION 5 (2) (f)
OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR
(TEMPORARY USES)

BE IT ORDAINED by the City Council of the City of Sulphur that they do hereby amend Article IV, Part 2, Section 5 (2) (f) of the Land Use Ordinance to read as follows:

- (f) A temporary use permit may be issued by the Administrator for the placement of a manufactured home/mobile home, not otherwise permitted in the land use district, for temporary, emergency housing in hardship cases, for a non-renewable period of up to 1 year provided that the following conditions are met:
- (1) Written certification of medical and/or economic hardship is presented to the administrator stating the nature and intent of condition.
 - (2) The manufactured home/mobile home is adjacent to the lawfully permitted house or housing unit of one related by blood or marriage.
 - (3) A permit be issued for the temporary manufactured home/mobile home.

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 11th day of June, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda an introduction of ordinance amending Chapter 4 to provide for Section 2 – Mistreatment. Motion was made by Mr. Moss seconded by Mrs. Ellender that the following amendment be made:

It shall be unlawful for the owner of any animal or the person having custody of any animal to leave any animal or fowl on any uninhabited property or in an uninhabited dwelling or structure.

Motion carried.

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

ORDINANCE AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – MISTREATMENT.

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

PUBLIC NOTICE

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

ORDINANCE AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – MISTREATMENT.

A public hearing on said ordinance will be held at 5:30 p.m. on the 9th day of July, 2007, at City Hall in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

NANCY TOWER, Chairman

Motion carried.

The next item on the agenda an introduction of ordinance amending Chapter 4 of the Code of Ordinances of the City of Sulphur to provide for Section 66.1 – Pit Bulls. Mr. Duncan stated that he received calls from veterinarians with concerns over how the owner will prove that it is or isn't a pit bull. If the veterinarian is asked to determine what breed the animal is and they put "mixed breed" on the paperwork, then what breed would that be considered? Mr. Drost stated that a veterinarian or an Animal Control Officer should be able to tell what breed the dog is. Mr. Duncan asked about other breeds. Mr. Drost stated that there is a section in the ordinance book that addresses vicious animals. Mr. Bergeron stated that most of the calls that Animal Control receives are calls related to pit bulls. Mr. Duncan stated that he would hate to see a responsible pet owner have to abide by these rules. Mrs. Tower stated that she would maybe be for an ordinance that only targets pet owners that have received citations. After discussion, motion was made by Mr. Moss seconded by Mrs. Ellender that the following ordinance be introduced:

ORDINANCE AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR TO PROVIDE FOR SECTION 66.1 - PIT BULL DOGS.

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

PUBLIC NOTICE

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

ORDINANCE AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR TO PROVIDE FOR SECTION 66.1 - PIT BULL DOGS.

A public hearing on said ordinance will be held at 4:30 p.m. on the 2nd day of July, 2007, at City Hall in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

NANCY TOWER, Chairman

A vote was then called with the results as follows:

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

NAYS: Mrs. Tower

ABSENT: None

And the said ordinance was introduced on this 11th day of June, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda a resolution to consider extending the dates for Sulphur City Council agenda meetings. Motion was made by Mr. Koonce seconded by Mrs. Ellender that the following resolution be adopted:

Resolution extending the dates for Sulphur City Council agenda meetings.

A vote was then called with the results as follows:

YEAS: Mrs. Tower, Mr. Koonce

NAYS: Mrs. Ellender, Mr. Duncan, Mr. Moss

ABSENT: None

And the above resolution failed on this 11th day of June, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda a resolution appointing the Official Journal for the City of Sulphur. Motion was made by Mr. Moss seconded by Mr. Duncan that the following resolution be adopted to-wit:

RESOLUTION NO. 1995, M-C SERIES

Resolution appointing the Official Journal for the City of Sulphur.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby appoint the Southwest Daily News as their Official Journal for a period of 12 months at a rate of \$3.00 per square of 100 words submitted on disk and \$3.50 per square for material not on a disk.

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 11th day of June, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda a resolution awarding low bid received for 6 month supply of pipe and fittings, diesel, chemicals, limestone and asphalt mix. Motion was made by Mr. Moss seconded by Mrs. Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 1996, M-C SERIES

Resolution authorizing award of low bid received for six month supply of pipe and fittings, gas, oil and diesel, chemicals, limestone and asphalt mix.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for six month supply of pipe and fittings, diesel, chemicals and limestone and asphalt mix were opened and read aloud in an open and public bid session on Friday, June 1, at 10:00 a.m., and the bids were as follows:

**TABULATION FOR
SIX MONTH SUPPLY OF GAS AND OIL
JUNE 1, 2007**

DIESEL FUEL (OFF ROAD)	
(PER GALLON)	
L M DAIGLE	2.1549****
PUMPELLY OIL	2.3340
UNITED FUELS & LUBRICANTS (ULTRA, REFINERY PRICE + .25)	2.3288
HYDRAULIC OIL - AW 68	
(55 GAL. DRUM)	
L M DAIGLE	254.30
PUMPELLY OIL	276.38
UNITED FUELS & LUBRICANTS (UNITED AW 68)	186.48****
DEXTRAN III TRANSMISSION FLUID	
(55 GAL. DRUM)	
L M DAIGLE	329.85
PUMPELLY OIL	316.94
UNITED FUELS & LUBRICANTS (UNITED ATF)	294.87****
ROTELLA 15W 40	
(PER 55 GALLON DRUM)	
L M DAIGLE	445.30
PUMPELLY OIL	487.44
UNITED FUELS & LUBRICANTS (SHELL ROTELLA)	440.00****
10 W 30 MOTOR OIL	
(PER 55 GALLON DRUM)	
L M DAIGLE	355.60
PUMPELLY OIL	305.25
UNITED FUELS & LUBRICANTS (UNITED 10W30)	299.81****

5 W 20 MOTOR OIL	
(PER 55 GALLON DRUM)	
L M DAIGLE	373.60****
PUMPELLY OIL	376.06
UNITED FUELS & LUBRICANTS	
(FORMULA SHELL 5W20)	378.00

****AWARDED BIDDER****

TABULATION FOR PIPE AND FITTINGS

JUNE 1, 2007

SECTION I:

**LOUISIANA UTILITIES	\$ 11,877.13
COBURNS SUPPLY	\$ 16,620.71****

SECTION II:

**LOUISIANA UTILITIES	\$ 14,224.26
COBURNS SUPPLY	\$ 8,151.94
(SECTION INCOMPLETE)	

SECTION III:

**LOUISIANA UTILITIES	\$ 45,753.61
COBURNS SUPPLY	\$ 29,327.49
(SECTION INCOMPLETE)	

SECTION IV:

**LOUISIANA UTILITIES	\$ 9,441.75
COBURNS SUPPLY	\$ 8,048.96
(SECTION INCOMPLETE)	

SECTION V:

**LOUISIANA UTILITIES	\$ 8,774.20
COBURNS SUPPLY	\$ 9,662.08****

SECTION VI

LOUISIANA UTILITIES	\$204,364.62**
COBURNS SUPPLY	\$ 28,627.19
(SECTION INCOMPLETE)	

SECTION VII:

LOUISIANA UTILITIES	\$ 5,251.25
COBURNS SUPPLY	\$ 4,829.40**

SECTION VIII:

LOUISIANA UTILITIES \$ 48,922.94** COBURNS SUPPLY
\$ 15,843.60

(SECTION INCOMPLETE)

SECTION IX:

**LOUISIANA UTILITIES \$ 21,906.25
COBURNS SUPPLY NO BID

SECTION X:

**LOUISIANA UTILITIES \$125,037.00
COBURNS SUPPLY \$234,237.20

SECTION XI:

**LOUISIANA UTILITIES \$ 10,131.33
COBURNS SUPPLY \$ 10,492.23****

SECTION XII:

**LOUISIANA UTILITIES \$ 12,209.95
CORBURNS SUPPLY \$ 16,910.65

SECTION XIII:

**LOUISIANA UTILITIES \$ 2,004.80
COBURNS SUPPLY \$ 1,755.68

(SECTION INCOMPLETE)

TOTAL:

LOUISIANA UTILITIES \$519,899.09
COBURNS SUPPLY \$384,507.13

******TOTALS WERE CHANGED ON THESE SECTIONS
DUE TO ERRORS IN ADDING ON THE BID FORM**

**ALL ITEMS IN EACH SECTION HAVE TO BE BID ON TO BE COMPLETE. ANY ITEMS
NOT BID ON, RESULTS IN INCOMPLETE BID.**

****AWARDED BIDDER PER SECTION****

**TABULATION FOR SIX MONTH SUPPLY ON
LIMESTONE AND ASPHALT
JUNE 1, 2007**

LIMESTONE (3/4-1") (GRAY ONLY)

R E HEIDT	NO BID
PORT AGGREGATES	33.15 PER TON****

ROADBASE LIMESTONE (GRAY ONLY)

R E HEIDT	NO BID
PORT AGGREGATES	32.49 PER TON****

HOT ASPHALT MIX

R E HEIDT	52.00 PER TON****
PORT AGGREGATES	NO BID

EMULSIFIED CRS-2

R E HEIDT	NO BID
PORT AGGREGATES	NO BID

****AWARDED BIDDER****

**TABULATION FOR
SIX MONTH SUPPLY ON CHEMICALS
JUNE 1, 2007**

POTASSIUM PERMANGNATE

D X I	NO BID
C & L AQUA	2.16 LB****
PENNCO	NO BID
INDUSTRIAL	2.75 LB
L C I	NO BID

CHLORINE

D X I	.620 PER TON****
C & L AQUA	NO BID
PENNCO	NO BID
INDUSTRIAL	NO BID
L C I	NO BID

GRANULATED CHLORINE

D X I	NO BID
C & L AQUA	NO BID
PENNCO	NO BID
INDUSTRIAL	1.50 LB ****
L C I	NO BID

HYDROFLOURSILIC ACID

D X I	NO BID
C & L AQUA	NO BID
PENNCO	.2335LB ****
INDUSTRIAL	NO BID
L C I	NO BID

SULFUR DIOXIDE

D X I	900.00 PER TON****
C & L AQUA	NO BID
PENNCO	NO BID
INDUSTRIAL	NO BID
L C I	NO BID

DRUM DEPOSITS IF OCCURRED

D X I	NO BID
C & L AQUA	NO BID
PENNCO	NO BID
INDUSTRIAL	NO BID
L C I	NO BID

******AWARDED BIDDER******

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 11th day of June, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda a discussion and explanation on the Attorney General's opinion regarding the appointment to the West Calcasieu Community Center

Authority. Mr. Drost stated that he sent several questions to the Attorney General. One of the questions was to find out who is the governing authority of the City of Sulphur. The response was that the City Council was the governing authority. Mr. Koonce stated that the appointment should have then come from the City Council, not the Mayor. Mr. Drost stated that the Council did vote on it. Mr. Koonce then asked why Mr. Drost made him withdraw his motion when he made a motion to nominate Mr. Kinney. Mr. Drost stated that he still stands by the process in which he told Mr. Koonce to withdraw his motion. Mr. Koonce stated that in the future each Councilman needs to put a name in the hat and then the Council will vote on one (1) person. Mayor LeLeux stated that this needs to be streamlined. It wouldn't be a good idea to put names in a hat and start eliminating one by one. That's an embarrassment to the people. Mr. Koonce stated that Mr. Kinney was also embarrassed.

The next item on the agenda an introduction of ordinance setting forth property tax millage rates for the year 2007. Motion was made by Mr. Duncan seconded by Mr. Moss that the following ordinance be introduced:

**AN ORDINANCE SETTING FORTH PROPERTY TAX MILLAGE RATES
IN THE CITY OF SULPHUR, LOUISIANA, FOR THE YEAR 2007.**

Motion was then made by Mr. Duncan 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 SETTING FORTH PROPERTY TAX MILLAGE RATES IN THE CITY OF SULPHUR, LOUISIANA, FOR THE YEAR 2007.

A public hearing on said ordinance will be held at 5:30 p.m. on the 9th day of July, 2007, at City Hall in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

NANCY TOWER, Chairman

Motion carried.

The next item on the agenda Public to Address Council. Mr. Broussard stated that the Council needs to adopt an ordinance that makes people take care of their cane fence when it's on the property line.

Tom Boggan addressed the Council and quoted Robert's Rules of Order.

Geoff Russell addressed the Council and stated that he wants the Council to continue with the filming of the Council meetings. There is an account set up at Capital One bank called the "sunshine account" if anyone is interested in donating money to this.

Chuck Bennett addressed the Council and stated that he would also like for the Council to continue filming the Council meetings. It keeps people in touch when they can't attend the meetings.

Mr. Koonce stated that he received a call from a woman in his district and stated that she is sending a petition around for people to sign for the continuation of the Council meetings. If anyone is interested in signing the petition, they can call Mike Koonce.

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

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

6/11/07
7:35 P.M.