

May 29, 2007

The City Council of the City of Sulphur, Louisiana, met in special session at its regular meeting place at City Hall, Sulphur, Louisiana, on May 29, 2007 at 5:00 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 Mr. Duncan followed by the reciting of the Pledge of Allegiance led by Mrs. Ellender.

The first item on the agenda a public hearing on ordinance adopting the budget for fiscal year 2007-2008. Mrs. Tower stated that she would like to amend General Fund Revenues (Court fines). She would like to raise it from \$200,000 to \$300,000. She asked Mr. Drost if the fines were decreasing because the city has no jail space. Mr. Drost stated that the City Attorney or Council had no control over these fines. They are set by the Court. He isn't sure why fines have decreased. Mayor LeLeux asked the Council to be conservative. This budget is a snapshot of the past history of the Court. Mr. Clyde stated that he doesn't want to budget \$300,000 because the Court has never reached that amount.

With the Council moving on to Expenditures for City Council, Mr. Koonce made the motion seconded by Mr. Duncan to move \$5,000 into a line item for videoing of the City Council meetings. Mr. Duncan made the stipulation that if the Council meetings will

continue to be filmed then he wants administration to edit the film and not air the part when it comes time to Public to Address Council. Mayor LeLeux stated that administration will have no part in that. Mr. Duncan asked Mr. Drost that since the Council already voted down the videoing of the Council meetings at a previous meeting, will the Council have to put this item back on the agenda for another vote if it was going to be budgeted. Mr. Drost stated, yes. At this time Mr. Duncan withdrew his second. With no second to Mr. Koonce's motion, motion died for lack of second.

At this time Mr. Moss made a motion seconded by Mr. Duncan to amend the budget to include \$40,000 to the Police Department for night vision goggles. Chief Abrahams stated that he has sent a letter to the Department of Justice asking if the Police Department could use money out of Drug Forfeiture Funds for the night goggles and they haven't responded yet. He also stated that there are other top priority's that he would like to spend the money on besides the night goggles but those other items cost too much. At this time a vote was then called on the previous motion. Motion carried.

Moving on to Public Works Department, Mr. Moss asked if there was a need to hire another Ordinance Enforcement Officer because Mrs. VanderHey still hasn't made a clean sweep from one side of the city to the other. Mr. Bergeron stated that she does have someone that works part-time helping her but he may be quitting soon. Mr. Bergeron will take someone from the public works department and put him with Shelly until she is caught up. He doesn't want to hire someone to help Mrs. VanderHey because once they are caught up then he would have to let that person go.

Mrs. Tower stated that she would like to offer an amendment to make Animal Control available to the public during daylight hours and not just for emergency

purposes. She would like to increase the overtime line item by \$2,000 to cover the overtime. Mr. Bergeron stated that during the summertime two employees stagger their time. One comes in early and one comes in later and then they rotate their shift every two weeks. There is always someone on 24 hour call. Mrs. Tower stated that this was only for emergency purposes. Mr. Moss asked Chief Abrahams if there are many calls after hours. Chief Abrahams stated that he would have to check into it.

The Council then moved on to Capital Improvements. Mrs. Tower stated that she would like to move \$136,000 to purchase the right-of-way for the North Rose Park project. This money was budgeted two times before but it was never used. The City is waiting to hear from legislation to see if we are going to receive money for this project. If we do receive the money then the money will not be used. At this time Mr. Bergeron stated that there is money budgeted in the ditch piping project and money is being used from that line item to do other projects. We will soon have \$830,000 in that line item so we could use some of this money on the North Rose Park project. There are major projects that need to be done but they are much more than \$830,000. Motion was then made by Mr. Duncan seconded by Mr. Moss that the Council budget the necessary funds to purchase the North Rose Park right-of-way necessary for the drainage plan at the appraised value but not to exceed \$136,000.

A vote was then called on the above motion with the results as follows:

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

NAYS: Mrs. Ellender

ABSENT: None

And the said amendment was declared duly adopted on this 29th day of May, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

After discussion, motion was made by Mr. Duncan seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 779, M-C SERIES

AN ORDINANCE ADOPTING THE ANNUAL BUDGET OF REVENUES AND EXPENDITURES FOR THE FISCAL YEAR JULY 1, 2007 TO JUNE 30, 2008, FOR THE CITY OF SULPHUR, LOUISIANA.

BE IT HEREBY ORDAINED by the City Council, City of Sulphur, Louisiana, in general session convened, that:

SECTION I. The attached estimate of revenues as reflected in the summary and such other fiscal exhibits and information as required by Section 1308(D), Louisiana Local Government Act, be and the same, is hereby adopted to serve as the Budget of Revenues for the City of Sulphur for fiscal year July 1, 2007, to June 30, 2008.

SECTION II. The attached statement of anticipated expenditures as reflected in the summary and such other fiscal exhibits and information as required by Section 1308(D), Louisiana Local Government Act, be and the same is hereby adopted to serve as the Budget of Expenditures for the City of Sulphur for the fiscal year July 1, 2007, to June 30, 2008.

SECTION III. The adoption of the Budget of Expenditures as reflected in the line-item budget filed with the Clerk of the Council containing object of expenditure classifications shall be declared to be the appropriation of the amount set therein as established in each budget classification by object of expenditure.

SECTION IV. The adoption of the Capital Improvement Budget as submitted for a period of five years with the first year being for the budget year 2007-2008 shall be for the expenditures as appropriated therein.

SECTION V. The amounts appropriated for all accounts shall not exceed the amounts fixed therefor in the Budget of Expenditures unless all terms and conditions of the Sulphur Home Rule Charter are complied with. Nothing contained in this section shall be construed to prohibit the governing authority from amending or making an appropriation to and for a contingent fund to be

used in cases of emergency.

BE IT FURTHER ORDAINED that this Ordinance shall become effective ten (10) days after publication.

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 29th day of May, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda a resolution encouraging the retroactive treatment of casualty to 2005 for hurricanes Katrina and Rita for Louisiana income tax purposes.

After discussion, motion was made by Mr. Duncan seconded by Mrs. Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 1991, M-C SERIES

Resolution encouraging Governor Kathleen Blanco, the Louisiana Senate and the Louisiana House of Representatives all for the retroactive deduction of 2005 “casualty losses” for the Louisiana Income Tax purposes.

WHEREAS, many citizens (200,000 homes) in South Louisiana suffered significant damages from Hurricanes Katrina and Rita; and

WHEREAS, many of these same citizens are still struggling with on-going recovery issues and its aftermath; and

WHEREAS, many of these taxpayers were able to utilize the special safe-harbor provisions offered by the Internal Revenue Service in writing off their losses caused by Hurricanes Katrina and Rita, resulting in extraordinary federal tax savings and refunds for the 2005 and other tax years that helped in paying recovery costs, many of which may not be recoverable from insurance or other sources; and

WHEREAS, the State of Louisiana has experienced unprecedented revenue surpluses since Katrina and Rita, much of which is the result of the continued rebuilding efforts of the those who suffered these losses from the storms; and

WHEREAS, many of these taxpayers paid significantly more in State income tax than they did in Federal income tax; and

WHEREAS, many citizens are still experiencing financial and other hardships from Hurricanes Katrina and Rita; and

WHEREAS, these state tax refunds will further help those recovering from these losses by allowing them pay for needed recovery items and/or pay debt incurred to facilitate their recovery. The vast majority of these refunds will be plowed back into their local economies further enhancing our growth and recovery.

NOW, THEREFORE, BE IT RESOLVED by the Sulphur City Council that we do encourage the State to allow for the retroactive deduction of casualty losses from state taxable income for the 2005 tax year and years for which these losses can be rolled back are forward to as a result of loss limitations resulting from any financial damages that exceed 2005 income.

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 29th day of May, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

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

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

5/29/07