

February 11, 2008

The City Council of the City of Sulphur, Louisiana, met in regular session at its regular meeting place at City Hall, Sulphur, Louisiana, on February 11, 2008, 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. Don Walker, Olivet Baptist Church, followed by the reciting of the Pledge of Allegiance led by Mrs. Ellender.

The Chairman asked if there were any changes to the minutes of the previous meeting. With no changes made, motion was made by Mr. Moss seconded by Mr. Duncan 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 Mrs. Ellender that item 4A be added. Motion carried. Motion was then made by Mr. Duncan seconded by Mr. Moss that the agenda stand as changed.

The first item on the agenda a presentation to Volunteer of the Month of January. Mayor LeLeux presented a certificate to Dick Kennison.

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

Middle School, Stephen Moffat; LeBlanc Middle School, Austin Monceaux; Maplewood Middle School, Daniella Woodard; and Our Lady`s School, Rilee Goos.

The next item on the agenda a presentation to Teachers of the Month for February. Mayor LeLeux presented certificates to the following teachers: D.S. Perkins Elementary, Charlene Grimmert; Maplewood Middle School, Annette Claudel; Sulphur High 9th Grade Campus, Darlyne Allain; and Sulphur High School, D`Ann Forrest.

The next item on the agenda a presentation to Ronnie Johns. Mayor LeLeux presented a plaque to Ronnie Johns and thanked him for all the hard work he has done through the years.

The next item on the agenda Peter Collin with McNeese State University to speak about McNeese baseball. Mr. Collin addressed the Council and stated that McNeese is having a city wide school day. The game will be at McNeese on March 1, 2008 and admission is \$2.00 per person. There will be three Sulphur kids that will be playing.

The next item on the agenda a presentation from administration regarding trash, garbage, limbs and white goods pick-up. Mr. Clyde stated that he had a meeting with Mr. Grammer, Allied Waste, and discussed the following issues:

- (1) Each household will receive (1) one can with a serial number on it. Residents can have other cans but will not be picked up if it weighs more than 75 pounds. All items in the cans must be bagged.
- (2) If someone has a complaint they can call City Hall or Allied Waste and it will be logged in. If the caller still doesn`t get satisfaction then they can come talk to John Bruce, Director of Public Works.
- (3) Allied Waste has 24 hours to pick up a missed can once they are notified. If cans do not get picked up on a Friday, then Allied Waste has until Monday to pick them up. Allied Waste may pick them up on Saturday.
- (4) If an Allied Waste driver sees white goods on the side of the road, he is to make note of the white good and send a driver to pick it up. In some cases, this could take up to 13 days for the white good to be picked up.

Mrs. Tower stated that there is a new link on the City's website. Click on the Allied Waste truck and make your complaint and it is sent directly to Public Works. Mr. Grammer, Allied Waste, stated that the problems that recently occurred was his fault. He had a death in the family and wasn't able to check on the employees. He will have three drivers following the trash trucks to make sure everything is picked up. This is a new procedure. There will also be three back-up trash trucks. They just received 500 new trash cans and 1500 need to be replaced. He is trying to get a new system working so these kinds of problems will not happen again.

The next item on the agenda a presentation from administration concerning options for voluntary recycling at City Hall and throughout the city as stated in Resolution No. 1965. Mayor LeLeux stated that the recycling cans on City property were not being picked up for long periods of time, even after they called the company several times for them to come pick them up. He is in full support of recycling but the cans must be maintained. There is a difference between recycling and retaining. We were retaining. If someone can service these cans on a weekly basis we'll be glad to do it. We shouldn't have to call the recycling company to come pick up the cans. It should be done on a weekly basis.

Mr. Duncan stated that there are recycling containers at R.W. Vincent and they never have trouble with theirs being picked up. Mr. Tower stated that she heard there were service problems with this company. She also stated that she will volunteer to oversee that the cans will be picked up at the city. The City doesn't have to use this particular company. There are other recycling company's out there. Mr. Duncan asked

the Mayor if he (Mr. Duncan) could call the owner of the recycling company and see what the problem is. The Mayor stated, yes.

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

805 W. Burton – motion was made by Mrs. Ellender seconded by Mr. Moss that a 6 month extension be granted. Motion carried.

304 W. Carlton – motion was made by Mrs. Ellender seconded by Mr. Duncan that a 90 day extension be granted. Motion carried.

202 Louisiana – motion was made by Mr. Duncan seconded by Mr. Moss that this extension be discontinued. Motion carried.

221 Avilia – motion was made by Mrs. Ellender seconded by Mr. Moss that a 6 month extension be granted. Motion carried.

702 Live Oak – motion was made by Mrs. Ellender seconded by Mr. Moss that a 6 month extension be granted. Motion carried.

999 N. Claiborne – motion was made by Mrs. Ellender seconded by Mr. Moss that this extension be discontinued. Motion carried.

214 Lightning – motion was made by Mr. Koonce seconded by Mr. Duncan that a 6 month extension be granted. Motion carried.

306 Parish – motion was made by Mr. Koonce seconded by Mr. Duncan that this address be granted a 6 month extension. Motion carried.

1413 Weekly – motion was made by Mr. Koonce seconded by Mr. Duncan that this address be granted a 6 month extension. Motion carried.

931 Alice – motion was made by Mr. Duncan seconded by Mr. Koonce that this address be granted a 6 month extension. Motion carried.

2028 Carr #1 – Beverly Mott, owner, addressed the Council and stated that she is still waiting on Road Home. Mr. Duncan asked Mrs. Mott, who is living in the trailer at this moment? Mrs. Mott stated that her daughter was living in it. Mr. Duncan asked if her daughter could live in the trailer why couldn't she (Mrs. Mott) live in it? Mrs. Mott stated that the trailer has too much mold in it for her grandchildren to live in. Her grandchildren live with her in the FEMA trailer. Mr. Duncan stated that he has a big problem with the condition of this trailer park. He asked that this trailer be given a 30 day extension so he can monitor it every month. Motion was then made by Mr. Duncan seconded by Mr. Moss that this address be given a 30 day extension. Motion carried.

626 Dave – motion was made by Mr. Duncan seconded by Mrs. Ellender that this address be granted a 6 month extension. Motion carried.

1115 Elm – motion was made by Mr. Duncan seconded by Mrs. Ellender that this address be granted a 6 month extension. Motion carried.

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

808 Mathew – Mrs. VanderHey stated that the owner is still waiting for Road Home. The home needs a lot of repairs. Mayor LeLeux stated that this owner is in dire straits and the amount of money she is getting from Road Home will not be enough to cover the costs. Mr. Duncan asked if there was an organization in Sulphur that could help

her out if she purchased the material. Mrs. Tower suggested that “Rebuilding Together” program would be a great opportunity. At this time, motion was made by Mr. Koonce seconded by Mrs. Ellender that this address be given a 90 day extension. Motion carried.

The next item on the agenda a public hearing on ordinance amending Ordinance No. 283, M-C Series which sets forth the hourly pay for City Council Clerk. Motion was made by Mr. Moss seconded by Mrs. Ellender that the following ordinance be adopted to-wit:

ORDINANCE NO. 831, M-C SERIES

ORDINANCE AMENDING ORDINANCE NO. 283, M-C SERIES WHICH
SETS FORTH THE HOURLY PAY FOR CITY COUNCIL CLERK.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that Ordinance No. 283, M-C Series is hereby amended to read as follows:

SECTION 3: COMPENSATION:

The Clerk of the Council shall be paid at an hourly rate of
\$18.50/hr.

BE IT FURTHER ORDAINED that this ordinance shall become effective upon the beginning of the next pay period.

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 February, 2008.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda a discussion concerning proposed truck stop on Cities Service Hwy. Mr. Duncan stated that in 2003 zoning was adopted. At the time of

the adoption, there were no tiers in place. The gaming district was removed from the original ordinance. In our current ordinance we have a Business District which that's where the truck stop is going. In November 2006 Dennis Bergeron, Land Use Administrator, signed a letter to Redman Gaming saying the parcel was zoned Business which a truck stop could be located there. The City Council is the governing body of this City, not Dennis Bergeron. The City Council should have been notified that a truck stop was going there. Most of the Council recently found out about the truck stop when an article came out in the American Press. Why didn't administration tell the Council what was going on? Were they trying to hide something? The Mayor stated that administration did not try to hide anything. No one is in favor of this truck stop being located here. The Mayor also stated that the Council should have asked questions. We have open books here. We issue approximately 50 permits every week. The permit department was only doing their job. This property was zoned "Business" which meant that a truck stop could have been located there.

Mayor LeLeux also stated that he knows Mr. Duncan's political intentions and he knows that Mr. Duncan plans on running against him for Mayor in the next election. He also told Mr. Duncan that he will not place the truck stop issue on the backs of the city employees. Mr. Duncan stated that this truck stop will have a heavy impact on the city. Mr. Duncan also stated that Mr. Dupre's department (permits) did everything correct. Mayor LeLeux stated that Mr. Duncan doesn't think that Mr. Dupre did everything correct because Mr. Duncan wouldn't have a problem with the permit being issued.

Mr. Koonce stated that the truck stop was within the boundaries of that zoned district. All the employees did everything right. Mr. Koonce also stated that the Council

has never looked at permits prior to them being issued. Maybe this is something we need to start doing. Mr. Moss stated that the City can't go backwards. The Council can't look over 300 permits every year and decide if they can be issued or not. He also stated that there was a meeting between the City and Redman Gaming and it was discussed that there may be another site for the truck stop to locate which is south of I-10. They may be able to swap property.

Mr. Dupre stated that this issue has taken a toll on his employees. The City Council puts forth the legislation and his employees just enforce them. Gaming is allowed at this location so the permit did get issued. Once again, Mr. Dupre stated that his employees enforce the legislation that the Council sets.

The next item on the agenda a public hearing on ordinance amending Chapter 5, Section 15 of the Code of Ordinances of the City of Sulphur – Truck Stops. Motion was made by Mr. Moss seconded by Mr. Duncan that the following ordinance be reset to the March 10, 2008 City Council meeting:

ORDINANCE AMENDING CHAPTER 5, SECTION 15 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – TRUCK STOPS

Motion carried.

The next item on the agenda an introduction of ordinance revoking the original permit issued to BoBel Construction on July 25, 2007 for the construction of a truck stop at 225 N. Cities Service Hwy. and any subsequent extensions of said permit. Mrs. Tower stated that she was not of the opinion that everything was done correctly. Our permit request requires that those who apply must follow all state and local laws. There are a number of stated laws that have been violated and at least one local law. Mrs. Tower

stated that Scott Mosely is also concerned with the laws that have not been followed and has taken some action to help the Council understand from a legal prospective.

Mr. Mosely, Center Avenue, addressed the Council and stated he doesn't want to see the change in this area. He is for growth in the city but not this type of growth so he retained Counsel and asked that this be researched.

(At this time Mrs. Tower waived the 3 minute limitation on speaking due to legal counsel giving an opinion).

At this time Mike Roach, Counsel, addressed the Council and stated that proper notice was not given. He has sent paperwork stating that there is a legal violation of the original permit. In accordance with R.S. 27:306 one of the primary gaming rules provides that any person applying for a license shall have prior to any construction application publish a notice of its intention to build a truck stop. This means prior to any beginning application Redman Gaming should have made an approach to the City Council and told the Council of their intentions to put gaming at this location. His office has done a public records review and has found that no city employee has done anything wrong. All inspections that were done were based on the original application which was May 17th. However, the May 17th permit is not the permit that they went forth with. They filed another permit request on July 25th. None of the inspections have been done since July. The original permit was for \$1.8 million. The revised permit is for \$650,000. This only lists \$650,000 for construction cost. They also lowered the height of the building from 30 feet to 23 feet. This is not the same permit. The permit that was applied for on July 25th was not advertised until the end of September. This isn't Redman Gaming first rodeo. They know exactly what they should be doing and when they should be doing it. This is a

stealth permit. The public has not had a chance to respond to this permit because they knew nothing about it.

Mr. Roach also stated that in the International Building Code it reads that for there to be an extension of a permit, there must be justifiable cause demonstrated. From the public records he doesn't see a justifiable cause. He also stated that if the Council doesn't revoke the permit they will have some citizens groups that will file suit for the improper permit. Mr. Roach also stated that the May application lists truck stop/casino. The July application only lists truck stop.

At this time Mr. Tim O'Dowd, representing Redman Gaming, addressed the Council and stated that his client is willing to consider any location. Their purpose is to make money. He is assuming they did all the permitting correctly. There is no basis that either the City or Redman Gaming had bad intentions. The property did cost approximately \$900,000. They signed a contract with BoBel Construction for \$1.8 million. They also signed an additional contract for \$342,000. The facility is being constructed at this moment. They are constructing it off-site and will bring it to Sulphur. They bought the property in April, 2007 and had notice in November, 2006. The owner is coming to Sulphur soon to see about swapping property with another location. Is there another location that can fit this building and draw in this clientele? If property can be swapped then everyone is a hero. A lawsuit is obviously in the background. He was hired to protect an investment not let it just sit there.

Mr. O'Dowd also stated that when he came to Sulphur and exited on Cities Service Hwy. he followed two 18-wheelers and they weren't coming from a truck stop. Later on, a huge industrial crane with a wide-load sign on it was driving down this same

road. It was coming from Hwy. 90. These trucks need fuel and this truck stop would be a great location. Redman did everything they were supposed to do and had no idea there would be this great objection. No business wants to come to Sulphur with egg in their face.

Mr. Drost stated that he just received correspondence from Roach Law Firm and it does raise some questions. He would be curious to see if the state law that was in the correspondence even applies to the City as far as governing the licenses of video draw poker. It would be the City's mission to make sure the application for the building permit was correct. He asked the Council to proceed with caution to revoke this permit because he has seen similar cases that led to disaster.

Mr. Berry, Chief Inspector, addressed the Council and stated that his office is constantly put on the "lime-light" without any communication with his office. Instead the Council brings us to the meetings and addresses us during public comment. There are two applications for this project. One application dated May 17, 2007 and the other July 25, 2007 with two different amounts. This is no big issue. He can go talk to Redman to get this straight. As far as the "sign-off", his inspectors did everything correct, just as he expects them to do. The first application was for plan review not for a permit. This is strictly for the inspectors to see if it is being built in accordance with the ICC Code.

Mr. Berry also stated that the extension that was given, was given correctly. The Building Official has the authority to give a 180 day extension with written request and justifiable cause demonstrated. The justifiable cause demonstrated was several phone conversations. Out of the commentary it states that the permit becomes invalid under two distinct situations, both based on 180 day period. The first situation was when no work

was initiated 180 days from issuance of the permit. He then gave them an extension, which he is allowed to do. Mr. Berry stated that this is the very first extension that his office had to give since he has taken this position. He has knowledge of a facility that wants to locate on Beglis Parkway that has received four extensions so far. They are all 180 days apart and no work has commenced. Mr. Berry also stated that no inspections are required until work commences.

At this time Mrs. Tower stated Administration cannot be aware of all the state laws. On applications for permits it is required that an individual sign that they are complying with all state and local laws. When the state and local laws are not followed, whether the City knew about them or not, the permit is not valid because laws are not followed. Not only did Redman Gaming not follow the state laws requiring them to public notice themselves in advance of applying for the permit, they also did not follow the state laws in regard to the Storm Water Pollution Prevention Act, which were laws well before the City passed the ordinance to enforce them. She also stated that Mr. O'Dowd referenced \$1.8 million worth of construction costs but we have a permit from July 25, 2007 with only \$650,000.

After further discussion, motion was made by Mr. Moss seconded by Mr. Duncan that the following ordinance be introduced:

ORDINANCE REVOKING THE PERMIT OF BO BEL CONSTRUCTION TO BUILD A TRUCK STOP AT 225 NORTH CITIES SERVICE HIGHWAY.

Motion was then made by Mr. Moss seconded by Mr. Duncan 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 REVOKING THE PERMIT OF BO BEL CONSTRUCTION TO BUILD A TRUCK STOP AT 225 NORTH CITIES SERVICE HIGHWAY.

A public hearing on said ordinance will be held at 5:30 p.m. on the 25th day of February, 2008, at City Hall in Sulphur, Louisiana.
(Due to the Mayor’s mother’s death, the meeting that was scheduled for February 25, 2008 was rescheduled to Wednesday, February 27, 2008).

CITY OF SULPHUR, LOUISIANA

BY: _____

NANCY TOWER, Chairman

Motion carried.

The next item on the agenda a public hearing on ordinance granting a variance to Donald Whatley, 98 & 100 Summerwood Drive, to allow for duplexes to be located 15 feet from the front property line instead of the required 20 feet. Mr. Moss stated that now these duplexes are not for corporate use, they are for individuals to rent. Motion was made by Mr. Moss seconded by Mr. Duncan that the following amendment be added to the ordinance:

WHEREAS, no variance shall be valid for a period longer than 6 months unless a building permit is issued and construction has commenced, or unless a Certificate of Occupancy is issued and a use commenced within such period; and

WHEREAS, said variance is valid only to property owner issued to.

Motion carried.

After much discussion concerning rezoning this property so only duplexes or single family dwelling can be built on this property, motion was then made by Mr. Duncan seconded by Mr. Moss that the following ordinance be postponed and sent back to the Land Use Commission:

AN ORDINANCE GRANTING A VARIANCE TO ARTICLE IV, PART 3, SECTION 4 (3) OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR, LOUISIANA, TO DONALD WHATLEY, 98 & 100 SUMMERWOOD DRIVE, SULPHUR, LOUISIANA, TO EXEMPT CERTAIN PROPERTY AND IMPROVEMENTS.

Motion carried.

The next item on the agenda a public hearing on ordinance authorizing the acquisition of property (Burton Grocery – 106 North Huntington Street). Motion was made by Mr. Koonce seconded by Mrs. Ellender that the following ordinance be adopted to-wit:

ORDINANCE NO. 832, M-C SERIES

ORDINANCE AUTHORIZING THE ACQUISITION OF PROPERTY (106 NORTH HUNTINGTON).

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

WHEREAS, the City of Sulphur desires to purchase property from Jack Lawton, L.L.C. A Louisiana Limited Liability Company; and Tower Land Company, L.L.C., which consideration for this sale is as follows:

1. The purchase price shall be the sum of \$93,000, payable in cash at closing.
2. Buyers agree to accept the above-described property and improvements “as is” condition, Sellers disclaiming any warranty of merchantability, fitness or working order or condition of the property except that it shall be sold in its present condition, reasonable wear and tear excepted.
3. The Act of Sale will be executed before Buyer’s Notary Public or Attorney, at Buyers’ expense, on or before **90 days**.

4. The Act of Sale, when executed, shall be upon the following terms and conditions:
 - a) Taxes for the calendar year in which the sale is completed shall be prorated on the date of closing.
 - b) Cost of conveyance and mortgage certificates (and other usual certificates) and tax research, shall be borne by Buyers.
 - c) Sellers shall convey title with full warranty and with subrogation to all of Vendor's rights against prior owners and warrantors.
 - d) If Buyers desire a survey, same shall be procured at Buyers' expense.
 - e) Sellers shall deliver possession and occupancy at the execution of the Act of Sale.
 - f) If Buyers desire a title opinion, they shall be procured at Buyers' expense.
 - g) Buyers are to assume all costs associated with this sale to include but not limited to attorneys fees, notary fees, filing fees, and any and all other cost, fees and/or charges whatsoever.
5. Sellers shall remove any underground gasoline tanks prior to closing and any environmental contamination associated therewith.
6. This agreement shall be binding upon and shall enure to the benefit of the parties hereto, their respective heirs, successors and assigns.

WHEREAS, the property is more fully described as:

Municipal Address: 106 N. Huntington Street, Sulphur, LA 70663

Tract 1 Commencing at a point 93.2 feet North of the Southwest corner of Block A of the Town of Sulphur, as per plat recorded, thence North on the East side of Huntington Street 66.8 feet, thence East 100 feet, thence North 40 more or less to a street, thence East 40 feet (measured 32 feet), thence South 109.5 feet more or less to a point 90.5 feet North of North right-of-way of the Louisiana Western Railroad, thence West 140 feet (measured (132 feet) to the East side of Huntington Street and the point of commencement.

Tract 2 Commencing at the Northwest corner of Block A of the OTS of Sulphur, Louisiana; thence South 40 feet, thence East 100 feet, thence North 40 feet, thence West 100 feet to the point of commencement.

NOW, THEREFORE, BE IT ORDAINED that Mayor Ron LeLeux, being he is hereby authorized and empowered to purchase the property described above, and directed to execute the original deed between the City of Sulphur and Jack Lawton, L.L.C. A Louisiana Limited Liability Company; and Tower Land Company, L.L.C., for the sum of \$93,000.

BE IT FURTHER ORDAINED that 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 February, 2008.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda a public hearing on ordinance amending 2007-2008 Budget. Motion was made by Mr. Koonce seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 833, M-C SERIES

AN ORDINANCE AMENDING AND RE-ADOPTING THE GENERAL FUND BUDGET, PUBLIC UTILITY FUND BUDGET AND CAPITAL PROJECTS BUDGET OF THE CITY OF SULPHUR, LOUISIANA FOR THE FISCAL YEAR ENDING JUNE 30, 2008.

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

SECTION 1. That the General Fund Budget, Public Utility Fund Budget and Capital Projects Budget of the City of Sulphur, for the fiscal year ending June 30, 2008, heretofore adopted by the City Council, be and the same is hereby amended and

readopted in accordance with Exhibit "A" attached hereto and made a part hereof.

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

EXHIBIT "A"
BUDGET AMENDMENT
FISCAL YEAR ENDING JUNE 30, 2008

OVERVIEW

General Fund Revenues

	Original	Proposed
Other Revenue	\$ 357,500	\$ 777,500
Explanation: Receipt of Parish Gaming Funds (\$420,000)		

General Fund Expenditures

	Original	Proposed
Finance:		
Claims Settlements 001-1030-410-8110	\$ 10,000	\$ 60,000
Explanation: Increases in expenditures		
Streets:		
Contracted Grass & Demo 001-5010-430-3640	\$ 35,000	\$ 115,000
Explanation: Increases in expenditures		
Acquisitions – Furniture & Equipment 001-5010-430-7030	\$ 30,500	\$ 50,500
Explanation: Budgeted equipment (packer) cost exceeded original budget		

Information Systems:

Computer Equip/Admin 001-1033-410-7031	\$ 24,000	\$ 29,000
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Explanation: Increase budget for website upgrade

Inspection/Fire Department:

Regular Salaries 001-5020-430-1010	\$ 244,520	\$ 268,520
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Explanation: Provide for additional inspector (electrical)

Transfers:

Capital Projects	\$ 1,929,840	\$ 4,133,590
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Public Utility Fund

Original

Proposed

Public Works Administration:

Electrical/A/C Maintenance 401-5060-430-3320	\$ 60,000	\$ 150,000
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Explanation: Increases in expenditures

Capital Projects

Ongoing Projects – Previously Funded:

Renovate Southside Fire Station	\$ 500,000	\$ 703,750
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Explanation: Increase in construction cost

Ongoing Projects – Additional Funding:

City Hall	\$ 400,000	\$ 2,400,000*
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*Previously budgeted \$1,450,000 (see “Ongoing Projects – Previously Funded) total projected cost for this project is expected to be \$3,850,000.

Explanation: Complete City Hall Project, New Council Chambers, Acquisition and renovation of Burton Grocery, Renovate current City Hall for Judge, Marshal and City Court, architect fees and overage.

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 February, 2008.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda a public hearing on ordinance abolishing Chapter 22, Section 1 of the Code of Ordinances of the City of Sulphur – charges for water, sewer, garbage and recycling; bills monthly; delinquency; cutting off and reconnection charge. After discussion, motion was made by Mr. Koonce seconded by Mr. Duncan that the following ordinance be postponed:

AN ORDINANCE ABOLISHING CHAPTER 22 SECTION 1 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – CHARGES FOR WATER, SEWER, GARBAGE AND RECYCLING; BILLS MONTHLY; DELINQUENCY; CUTTING OFF AND RECONNECTION CHARGE.

Motion carried.

The next item on the agenda a public hearing on ordinance amending Ordinance No. 085, M-C Series, which pertains to charges for water, sewer and garbage services, bills monthly, delinquency, cutting off, reconnection charge, deposit, cycle billing, penalty water and sewer tap fees (inside and outside corporate limits), and fee for water

and sewer outside the corporate limits. After discussion, motion was made by Mr.

Duncan seconded by Mr. Moss that the following ordinance be postponed:

AN ORDINANCE AMENDING ORDINANCE NO. 085, M-C SERIES, WHICH PERTAINS TO CHARGES FOR WATER, SEWER, AND GARBAGE SERVICES; BILLS MONTHLY; DELINQUENCY; CUTTING OFF; RECONNECTION CHARGES; DEPOSIT; CYCLE BILLING; PENALTY; WATER AND SEWER TIE-IN FEES (INSIDE AND OUTSIDE CORPORATE LIMITS); FEE FOR WATER AND SEWER SERVICE OUTSIDE THE CORPORATE LIMITS; PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

Motion carried.

The next item on the agenda an introduction of assessment ordinance for the paving of Driftwood, Augustine, Acadienne, Chestnut and Gabriel Streets. Motion was made by Mr. Duncan seconded by Mr. Moss that the following ordinance be introduced:

AN ORDINANCE MAKING AND LEVYING A LOCAL OR SPECIAL ASSESSMENT ON EACH LOT OR PARCEL OF REAL ESTATE ABUTTING CHESTNUT STREET, ACADIENNE STREET, GABRIEL STREET, AUGUSTINE STREET, AND DRIFTWOOD DRIVE, SULPHUR, LOUISIANA, IN PROPORTION THAT EACH LOT'S FRONTAGE BEARS TO ALL THE ABUTTING LOTS OR PARCELS OF REAL ESTATE TO BE IMPROVED, ALL CONTAINED WITHIN THE CITY OF SULPHUR, LOUISIANA, AS IS PROVIDED FOR BY SUBPART A, PART I OF CHAPTER 7 OF TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED, AND ALL OTHER LAWS PERTAINING TO THE SAME MATTER.

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 MAKING AND LEVYING A LOCAL OR SPECIAL ASSESSMENT ON EACH LOT OR PARCEL OF REAL ESTATE ABUTTING CHESTNUT STREET, ACADIENNE STREET, GABRIEL STREET, AUGUSTINE STREET, AND DRIFTWOOD DRIVE, SULPHUR, LOUISIANA, IN PROPORTION THAT EACH LOT'S FRONTAGE BEARS TO ALL THE ABUTTING LOTS OR PARCELS OF REAL ESTATE TO BE IMPROVED, ALL CONTAINED WITHIN THE CITY OF SULPHUR, LOUISIANA, AS IS PROVIDED FOR BY SUBPART A, PART I OF CHAPTER 7 OF TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED, AND ALL OTHER LAWS PERTAINING TO THE SAME MATTER.

A public hearing on said ordinance will be held at 5:30 p.m. on the 10th day of March, 2008, 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 3, Section 22 of the Code of Ordinances of the City of Sulphur – Required; fees (alcoholic beverage). After discussion, motion was made by Mr. Moss seconded by Mr. Duncan that the following ordinance be reset to the March 10, 2008 City Council meeting:

ORDINANCE AMENDING CHAPTER 3, SECTION 22 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – REQUIRED FEES.

A vote was then called with the results as follows:

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

NAYS: Mrs. Ellender

ABSENT: None

And the said ordinance was reset to March 10, 2008 meeting on this 11th day of February, 2008.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda an introduction of ordinance amending Chapter 3, Section 25 of the Code of Ordinances of the City of Sulphur – Same – Action thereon; probationary period (alcoholic beverage). Motion was made by Mr. Duncan seconded by Mr. Koonce that the following ordinance be postponed until the March 10, 2008 City Council meeting.

ORDINANCE AMENDING CHAPTER 3, SECTION 25 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – SAME – ACTION THEREON; PROBATIONARY PERIOD.

A vote was then called with the results as follows:

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

NAYS: Mrs. Ellender

ABSENT: None

And the said ordinance was reset to March 10, 2008 meeting on this 11th day of February, 2008.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda an introduction of ordinance amending Chapter 3, Section 28 of the Code of Ordinances of the City of Sulphur – Location – Affecting issuance (alcoholic beverage). Motion was made by Mr. Duncan seconded by Mr. Moss that the following amendment be made:

First paragraph – (class “A” or class “B”)

Third paragraph – (or high)

Third paragraph – (March 10)

Motion carried.

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

ORDINANCE AMENDING CHAPTER 3, SECTION 28 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – LOCATION – AFFECTING ISSUANCE (ALCOHOLIC BEVERAGE).

Motion was then made by Mr. Moss seconded by Mr. Duncan 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 3, SECTION 28 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – LOCATION – AFFECTING ISSUANCE (ALCOHOLIC BEVERAGE).

A public hearing on said ordinance will be held at 5:30 p.m. on the 10th day of March, 2008, at City Hall in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____
NANCY TOWER, Chairman

Motion carried.

The next item on the agenda a resolution authorizing Mayor LeLeux to submit application for Safe Routes to School Program. Mr. Duncan stated that this grant will be for W.W. Lewis and R.W. Vincent since they are on state roads. Motion was made by Mr. Duncan seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2059, M-C SERIES

Resolution authorizing Mayor LeLeux to submit application for Safe Routes to School Program.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor LeLeux to submit application for Safe Routes to School Program.

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 February, 2008.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda a resolution clarifying sewage treatment requirements associated with Acadienne Acres Mobile Home Park. After discussion, motion was made by Mr. Duncan seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 2060, M-C SERIES

Resolution clarifying sewage treatment requirements associated with Acadienne Acres Mobile Home Park.

WHEREAS, the City has no objection to Acadienne Acres Mobile Home Park removing itself from the city's wastewater system, contingent upon current regulations and the park being outside of the corporate limits; and

WHEREAS, should owner elect to remove said park from the city's system, charges associated with the provision of that service will cease at the termination of services; and

WHEREAS, owner must notify the City in writing of request to be removed and charges will continue until such notification is received and the service removal is confirmed; and

WHEREAS, any change in health regulations or the corporate limits which affect Acadian Acres Mobile Home Park may influence future commitments.

A vote was then called with the results as follows:

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

NAYS: Mr. Koonce

ABSENT: None

And the said resolution was declared duly adopted on this 11th day of February, 2008.

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda a discussion concerning Road Home program buying property from property owners whose homes were destroyed by Hurricane Rita. Mr. Duncan stated that the Council condemned a piece of property and now Road Home owns it. This property is going to be returned to the City but then the City will have to demolish the home and that will cost approximately \$10,000. Paul Rainwater told Mr. Duncan that there were funds set aside to demolish this home but he wasn't aware the

Council was demolishing homes that Road Home owned. Mrs. Tower asked that this issue be placed on the March Council agenda so we can get an update from Road Home.

The next item on the agenda a resolution accepting petition for annexation from property owners and authorizing publication of notice (property south of Winner's Choice Truck Stop). Mr. Bruce stated that this parcel is in a Carlyss water district and services will have to be negotiated with them. Motion was made by Mr. Moss seconded by Mr. Duncan that the following resolution be adopted to-wit:

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

(This resolution was voted on by the Council but was not properly added to the agenda at the beginning of the meeting, therefore, it will be placed on February 25, 2008 special agenda).

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

The next item on the agenda Public to Address Council. Mr. Gabe Nunez requested that he put placed on the March City Council agenda.

Shawna Palumbo, Maydelle Palumbo and Janice Waite, Pecan Street, addressed the Council and had concerns with the assisted living complex being built on Cypress Street.

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

ATTEST:

ARLENE BLANCHARD, Clerk

NANCY TOWER, Chairman

2/11/08
8:40 P.M.