

April 10, 2017

The City Council of the City of Sulphur, Louisiana, met in regular session at its regular meeting place in the Council Chambers, Sulphur, Louisiana, on April 10, 2017 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  
DENNIS BERGERON, Council Representative of District 2  
MELINDA HARDY, Interim Council Representative of District 3  
RANDY FAVRE, 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 Harry Montgomery, 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. Favre that the minutes stand as written. Motion carried unanimously.

The Chairman then asked if there were any changes to the agenda. Motion was made by Mr. Moss seconded by Mr. Favre that item #18 be removed:

- Discussion concerning property located north of Central Fire Station.

Motion carried unanimously.

Mayor Duncan stated that item #18 needed to be added to the agenda since the agenda was already published at time of receiving this information:

Introduction of Ordinance authorizing the purchase of 614 N. Huntington St., authorizing Mayor Christopher L. Duncan to secure the services of Armor Title to prepare all closing documents, and authorizing Mayor Christopher L. Duncan to sign all paperwork in connection therewith.

With no comment from the public, motion was made by Mr. Favre seconded by Mr. Moss that item #18 be added. Motion carried unanimously.

Motion was then made by Mrs. Ellender seconded by Mrs. Hardy that item #13 be removed from the agenda:

- Resolution accepting Evangeline Street into city maintenance system.

Motion carried unanimously.

Motion was then made by Mr. Moss seconded by Mr. Favre that item #20 be removed:

- Executive Session to discuss Resolution No. 2798 M-C Series, adopted January 12, 2015, which appointed Jennifer Page as City Attorney.

Motion carried unanimously.

Motion was then made by Mr. Moss seconded by Mrs. Hardy that item #21 be removed:

- Resolution repealing Resolution No. 2798, M-C Series, adopted January 12, 2015, which appointed Jennifer Page as City Attorney.

Motion carried unanimously.

Motion was then made by Mr. Moss seconded by Mrs. Hardy that the agenda stand as amended. Motion carried unanimously.

The first item on the agenda is a presentation by Armed Forces Committee. The Committee presented a certificate to Colonel John J. Halloran and thanked him for his years of service to our country.

At this time the Chairman took a Point of Privilege for Fire Chief Dan Selph. Chief Selph recognized several firemen for saving the life of John Keys while working out at Dynamic Dimension. Those men included Captain Wendell Benoit, Captain Ricky Buller, Engineer Joshua Benoit, Fire Fighter Andrew LaFosse and Fire Fighter 1<sup>st</sup> Class Robert “Bob” Daniel.

The next item on the agenda is a public hearing on ordinance amending Article IV, Part 3, Section 5 (2) of the Land Use Ordinance to allow for (h) Park and Rides under Permitted Uses in a Commercial District. (To hear complete discussion log onto [www.sulphur.org](http://www.sulphur.org) and click on “Council” tab). Mr. Favre stated that since there are many amendments he’d like to make them in globo. Motion was made by Mr. Favre seconded by Mr. Moss that the amendments be made to the following ordinance:

- Public Hearing on ordinance amending Article IV, Part 3, Section 5 (2) of the Land Use Ordinance to allow for (h) Park and Rides under Permitted Uses in a Commercial District.

At this time Mr. Favre and Mr. Moss withdrew their motion and second to allow Mrs. Ellender to make her amendment prior to accepting amendments in globo.

Motion was then made by Mrs. Ellender seconded by Mrs. Hardy that the following amendment be made:

- Remove “(h) Lewis Street” from list of ingress/egress streets

Motion carried unanimously.

Motion was then made by Mr. Favre seconded by Mr. Moss that the amendments be made in globo for the following ordinance:

Public Hearing on ordinance amending Article IV, Part 3, Section 5 (2) of the Land Use Ordinance to allow for (h) Park and Rides under Permitted Uses in a Commercial District.

Motion carried. Unanimously.

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

ORDINANCE NO. \_\_\_\_\_ M-C SERIES AS AMENDED

ORDINANCE AMENDING ARTICLE IV, PART 3, SECTION 5 (2) OF THE  
LAND USE ORDINANCE OF THE CITY OF SULPHUR TO PROVIDE FOR  
PARK AND RIDES AND PARK AND RIDE SHARES.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby amend Article IV, Part 3, Section 5 (2) of the Land Use Ordinance of the City of Sulphur to read as follows:

(2) *Permitted Uses:*

- (a) All uses as permitted in business district classification except single-family detached residence.
- (b) Kennels.
- (c) Hotels and motels.
- (d) Light manufacturing, wholesaling and warehousing.
- (e) Institutions.
- (f) Bars (only on major arterial streets and interstate highways).
- (g) Entertainment (establishment whose gross receipts for the sale of alcoholic beverages constitutes fifty (50) percent or more of their overall gross receipts) (On major arterial streets and interstate highways).
- (h) Park and Rides and Park and Ride Shares

*Definitions.*

For purposes of this article, the following words shall have the following meanings:

Operator is any individual, property owner, employer or company that operates, runs, controls or otherwise engages in the business of a Park and Ride or Park and Ride Share.

Park and Ride a designated place where workers park their vehicles and take a bus or other form of transport to a job site or work site not adjacent to the designated parking place. A minimum of 200 parking spaces.

Park and Ride Share a designated place where workers park their vehicles and car pool, or otherwise share a ride with a designated driver or other workers, to a job site or work site not adjacent to the designated parking place.

Park and Rides and Park and Ride Shares must meet the following criteria:

1. A Special Permit shall be issued by City of Sulphur Permit. Department for a term not to exceed one year at a fee of \$250.00.
2. Permit applicants shall submit a site plan to the City for review and approval identifying all improvements, access points, parking areas, drainage plan and lighting.

3. A parking area shall be constructed no closer than five (5) feet from any public right of way and no less than two and one-half (2 ½) feet from any adjacent property. Access drives between adjacent parking lots will be allowed. With the exception of a bumper rail or wheel barrier, each required parking space shall have minimum dimensions of 9.5'x18' with a 24' wide aisle for ninety (90) degree parking. A bumper rail or wheel barrier shall be installed so that no part of parked automobiles can extend into the public right of way. A minimum of three (3) feet shall be provided from the property line to the wheelguard.
4. A minimum 6-foot wooden privacy fence around perimeter of permitted space.
5. Lighting shall have adequate illumination and plan reviewed and approved by city engineering.
6. Parking Hours must be submitted and adhered to with reference of peak times of traffic.
7. Traffic study shall be performed if required by the governmental agency having jurisdiction over the access road(s) providing access to any facility.
8. Traffic control shall be provided during hours of use by sworn off-duty police officers at all points of egress/ingress to prescribed lot.
9. Ingress/Egress shall be only on the following arterial streets:
  - a. Highway 90
  - b. Beglis Parkway/Hwy 27
  - c. Cities Service Hwy/Hwy 108.
  - d. Cypress Street
  - e. Maplewood Drive
  - f. Ruth Street/Hwy 1256
  - g. Prater Road
10. Route approval to workplace shall be agreed upon by Department of Transportation and Development, Calcasieu Parish Police Jury as well as City of Sulphur.
11. If surface of Park and ride spaces creates an emission of particles in the air(e.g.dust), permit holder must submit for review, a plan to limit said emission so as to not negatively affect surrounding structures/subdivisions.
12. Upon expiration of the Park and Ride the Permit Holder shall restore the site to pre-development condition or a more pristine state. In the event the property owner desires to retain all or any portion of the improvements, said improvements shall comply with current ordinances of the City of Sulphur. The Permit Holder is responsible for satisfying all obligations imposed by the City of Sulphur Ordinance.
13. Special permit may be revoked or suspended by the Chief Building Official.

14. Criminal Penalties. Any person, whether as an owner, lessor, agent, manager, employee, lessee, or occupant, who violates, causes a violation, or with knowledge permits a violation of any provisions of these regulations shall be guilty of a misdemeanor and, upon conviction, may be subject to a fine not to exceed five hundred dollars (\$500.00) per violation or subject to imprisonment not to exceed thirty (30) days, or both fine and imprisonment. Any person shall be deemed to have committed a separate violation for each and every day during any portion of which any violation of any provision of these regulations is committed, permitted, or continued by such person and shall be subject to the remedies provided in this section.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 10<sup>th</sup> day of April, 2017.

ATTEST:

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ARLENE BLANCHARD, Clerk

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DENNIS BERGERON, Chairman

The next item on the agenda is a public hearing on ordinance granting a rezone to Calcasieu Cameron Fair Association from Mixed Residential to Commercial for property located on the west side of Lewis Street, north of O'Quain Street. Motion was made by Mrs. Ellender seconded by Mr. Favre that the following ordinance be tabled indefinitely (*Tom Gayle, representing property owner, stated that they would withdraw their application*):

Motion carried unanimously.

**ORDINANCE GRANTING A REZONE FROM MIXED RESIDENTIAL TO  
COMMERCIAL TO CALCASIEU CAMERON FAIR ASSOCIATION FOR  
PROPERTY LOCATED ON WEST SIDE OF LEWIS STREET.**

WHEREAS, West Calcasieu Cameron Fair Association has submitted application to Rezone from Mixed Residential District to Commercial District; and

WHEREAS, the following stipulations shall be placed on property:

1. Construct a 6-foot tall buffer constructed of wood or brick masonry in accordance with Article IV, Part II, Section 8 of the Land Use Ordinance of the City of Sulphur.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SULPHUR, LOUISIANA, IN REGULAR SESSION CONVENED THAT:

The Land Use Ordinance of the City of Sulphur is hereby amended to grant a Rezone to West Calcasieu Cameron Fair Association from Mixed Residential to Commercial for the following described property to wit:

COM NE COR SE NE 27.9.10 TH S 0 DEG 24 MIN W 698.41 FT N 89 DEG 54 MIN W 238.7 FT S 0 DEG 24 MIN W 417.4 FT N 89 DEG 54 MIN W 521.7 FT S 0 DEG 24 MIN W 208.7 FT N 89 DEG 54 MIN W 77.6 FT N 22 DEG E 59.5 FT N 17 DEG 06 MIN E 1331.88 FT TO N LINE OF SE NE SEC 27.9.10 S 89 DEG 59 MIN 44 SEC E 433.51 FT M/L TO COM BEING SUBJ TO ROAD R/W OF 40 FT ON E AND 20 FT ON SOUTH SAID PROPERTY BOUNDED ON W BY PROPERTY NOW OR FORMERLY OWNED BY KRAUSE AND MANAGAN LUMBER COMPANY LTD REF1-ANTOINE JUNIUS BERTRAND ET AL B 1551 P 454 B 1588 P 711-80.

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

If City Council does hereby approve this Rezone the owner of this rezone shall be responsible for the recordation thereof, with the Clerk of Court, Calcasieu Parish, Louisiana, and shall provide the City of Sulphur a receipt evidencing recordation within 10 days of the effective date of this re-zone.

**No work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this Rezone shall be withdrawn and considered null and void.**

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was tabled indefinitely on this 10<sup>th</sup> day of April, 2017.

ATTEST:

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ARLENE BLANCHARD, Clerk

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DENNIS BERGERON, Chairman

The next item on the agenda is a public hearing on ordinance authorizing the demolition of 810 Ruth Street (Old Tyme Variety Store). Motion was made by Mr. Moss seconded by Mr. Favre that the following ordinance be adopted to-wit:

ORDINANCE NO. 1461, M-C SERIES

**ORDINANCE AUTHORIZING THE DEMOLITION OF 810 RUTH STREET  
(FORMER OLD TYME VARIETY STORE).**

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

WHEREAS, the City of Sulphur adopted Ordinance No. 1063, M-C Series on January 26, 2012, which authorized the acquisition of said property from George Theriot Super Food Marts, Inc.; and

WHEREAS, after recent inspections were performed, it was deemed too costly to make renovations and of no use to the City, therefore the City of Sulphur authorizes the demolition of 810 Ruth Street being more fully described as:

**810 RUTH STREET**

COM SW COR LOT 69 F G LOCK SUB, TH E 281.9 FT., N 25 FT, E 70 FT TO W/S HICKORY ST, N 69 FT, W 114 FT, N 145 FT, E 114 FT TO W/S HICKORY ST, N 67 FT, W 214 FT TO W/S HOUSTON RIVER CANAL R/W, TH NELY 25 FT M/L, W 168 FT TO E/S RUTH ST, TH S TO COM, SUBJ TO R/W FOR ST ALONG S/S AND LESS 0.515 ACRES TO PARC #2-6 CYPRESS STREET (HUNTINGTON TO ARIZONA STS) IMPS/91-STORE "OLDE TYME VARIETY" REF1-NEW DESCRIPTION-75 REF2-B 2521 P 40-RD R/W-95

AND

COM 295 S OF NE COR LOT 69 BLK F GEO LOCK SUB OF NW SE 34.9.10 TH W 114 FT, N 93 FT ETC REF1-CLEVELAND E ELLENDER B 1345 P 715, B 1372 P 768-76 REF2-BOUNDARY AGREEMENT B 1413 P 55-77



NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize the demolition of 810 Ruth Street.

This ordinance shall become effective upon Mayor's signature.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 10<sup>th</sup> day of April, 2017.

ATTEST:

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ARLENE BLANCHARD, Clerk

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DENNIS BERGERON, Chairman

The next item on the agenda is an introduction of ordinance authorizing an Amendment and Restatement of Servitude Agreements and a Consent Agreement with the Lake Charles Port & Terminal District and authorize Mayor Christopher L. Duncan to sign all documents in connection therewith. Bill Rase, Executive Director for Port of Lake Charles, addressed the Council and stated that currently there are multiple servitudes over 4 different City of Sulphur Tracts and this will combine all servitudes into one. Motion was made by Mr. Favre seconded by Mr. Moss that the following ordinance be introduced:

**INTRODUCTION OF ORDINANCE AUTHORIZING AN AMENDMENT AND  
RESTATEMENT OF SERVITUDE AGREEMENTS AND A CONSENT AGREEMENT  
WITH THE LAKE CHARLES PORT & TERMINAL DISTRICT AND AUTHORIZE  
MAYOR CHRISTOPHER L. DUNCAN TO SIGN ALL DOCUMENTS IN  
CONNECTION THEREWITH.**

Motion was then made by Mr. Favre 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:

INTRODUCTION OF ORDINANCE AUTHORIZING AN AMENDMENT AND RESTATEMENT OF SERVITUDE AGREEMENTS AND A CONSENT AGREEMENT WITH THE LAKE CHARLES PORT & TERMINAL DISTRICT AND AUTHORIZE MAYOR CHRISTOPHER L. DUNCAN TO SIGN ALL DOCUMENTS IN CONNECTION THEREWITH.

A public hearing on said ordinance will be held at 5:30 p.m. on the 8<sup>th</sup> day of May, 2017, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: \_\_\_\_\_

DENNIS BERGERON, Chairman

Motion carried.

The next item on the agenda is an introduction of ordinance accepting the donation of property from Michael Howard Stine and authorizing the Mayor to execute said donation agreement and providing for effective date of ordinance. Mayor Duncan stated that the property description may change for the public hearing. Motion was made by Mr. Moss seconded by Mrs. Hardy that the following ordinance be introduced:

AN ORDINANCE ACCEPTING THE DONATION OF PROPERTY FROM MICHAEL HOWARD STINE AND AUTHORIZING THE MAYOR TO EXECUTE SAID DONATION AGREEMENT AND PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

Motion was then made by Mr. Favre 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 ACCEPTING THE DONATION OF PROPERTY  
FROM MICHAEL HOWARD STINE AND AUTHORIZING THE MAYOR TO  
EXECUTE SAID DONATION AGREEMENT AND PROVIDING FOR  
EFFECTIVE DATE OF ORDINANCE.

A public hearing on said ordinance will be held at 5:30 p.m. on the 8<sup>th</sup> day of May, 2017, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: \_\_\_\_\_

DENNIS BERGERON, Chairman

Motion carried.

The next item on the agenda is an introduction of ordinance authorizing the demolition of Central Fire Station located at 602 North Huntington Street. Mayor Duncan stated that a special meeting may be called for this item. (*A special meeting will be held on Monday, April 24, 2017 at 5:00 p.m.*). Motion was made by Mr. Favre seconded by Mr. Moss that the following ordinance be introduced:

ORDINANCE AUTHORIZING THE DEMOLITION OF CENTRAL FIRE  
STATION LOCATED AT 602 NORTH HUNTINGTON STREET.

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

City of Sulphur, Louisiana, and that the said Notice of Introduction of the above ordinance is substantially in the following form:

**PUBLIC NOTICE**

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

**ORDINANCE AUTHORIZING THE DEMOLITION OF CENTRAL FIRE  
STATION LOCATED AT 602 NORTH HUNTINGTON STREET.**

A public hearing on said ordinance will be held at 5:00 p.m. on the 24<sup>th</sup> day of April, 2017, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: \_\_\_\_\_

DENNIS BERGERON, Chairman

Motion carried.

The next item on the agenda is an introduction of ordinance providing for an increase in the annual salary for the Mayor of the City of Sulphur to begin the next term of office. *(To hear complete discussion log onto [www.sulphur.org](http://www.sulphur.org) and click on "Council" tab).* After much discussion, motion was made by Mr. Favre seconded by Mr. Moss to Call the Question.

Motion carried unanimously.

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

**INTRODUCTION OF ORDINANCE PROVIDING FOR AN INCREASE IN THE  
ANNUAL SALARY FOR THE MAYOR OF THE CITY OF SULPHUR TO BEGIN THE  
NEXT TERM OF OFFICE.**

Motion was then made by Mr. Favre 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:

INTRODUCTION OF ORDINANCE PROVIDING FOR AN INCREASE IN THE ANNUAL SALARY FOR THE MAYOR OF THE CITY OF SULPHUR TO BEGIN THE NEXT TERM OF OFFICE.

A public hearing on said ordinance will be held at 5:00 p.m. on the 24<sup>th</sup> day of April, 2017, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: \_\_\_\_\_

DENNIS BERGERON, Chairman

Motion carried.

The next item on the agenda is a resolution awarding low bid received for Chipper for Public Works. Motion was made by Mr. Moss seconded by Mr. Favre that the following resolution be adopted to-wit:

**RESOLUTION NO. 3044, M-C SERIES**

Resolution awarding low bid received for a Chipper for Public Works.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for a Chipper for Public Works were opened and read aloud in an open and public bid session on Tuesday, April 4, 2017, at 10:00 a.m. and bids were as follows:

<b><u>Company</u></b>	<b><u>Bid Amount</u></b>
Vermeer Texas-Louisiana	\$36,500.00 (Equipment did not meet specifications)
Emery Equipment	\$37,727.25

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Christopher L. Duncan and award the bid for a Chipper for Public Works as follows:

<b><u>Company</u></b>	<b><u>Bid Amount</u></b>
Emery Equipment	\$37,727.25

BE IT ALSO FURTHER RESOLVED that Mayor Christopher L. Duncan is authorized to sign all paperwork in connection therewith.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss  
 NAYS: None  
 ABSENT: None

And the said resolution was declared duly adopted on this 10<sup>th</sup> day of April, 2017.

ATTEST:

\_\_\_\_\_  
 ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
 DENNIS BERGERON, Chairman

The next item on the agenda is a resolution awarding low bid received for 2016 Street Overlay Program. Byron Racca, with Meyer and Associates, stated that the Alternate Bid was in case the residents wanted to do front foot assessment we'd have price for them for the cul-de-sac. This cul-de-sac is now coming out since Palermo is extending his subdivision. Mr. Bergeron stated that he would abstain since he works for this engineering firm. Motion was made by Mr. Favre seconded by Mr. Moss that the following resolution be adopted to-wit:

**RESOLUTION NO. 3045, M-C SERIES**

Resolution awarding low bid received for 2016 Street Overlay Program.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for 2016 Street Overlay Program were opened and read aloud in an open and public bid session on Monday, April 10, 2017, at 10:00 a.m. and bids were as follows:

<b><u>Company</u></b>	<b><u>Base Bid Amount</u></b>	<b><u>Alternate Bid #1</u></b> <b><i>Cul-de-sac on Cassy Drive</i></b>
R,C, Paving, Inc.	\$772,115.00	\$15,060.00

R.E. Heidt Construction Co., LLC	Non-Responsive	Non-Responsive
Apeck Construction, LLC	\$847,917.55	\$11,612.50

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Christopher L. Duncan and award the bid for 2016 Street Overlay Program as follows:

<u>Company</u>	<u>Base Bid Amount</u>	<u>Alternate Bid #1</u> <i>Cul-de-sac on Cassy Drive</i>
R,C, Paving, Inc.	\$772,115.00	Not recommended due to the proposed development extending Cassy Lane

BE IT ALSO FURTHER RESOLVED that Mayor Christopher L. Duncan is authorized to sign all paperwork in connection therewith.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

ABSTAIN: Mr. Bergeron

And the said resolution was declared duly adopted on this 10<sup>th</sup> day of April, 2017.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
DENNIS BERGERON, Chairman

The next item on the agenda is a resolution approving liquor license for West Cal Arena & Event Center located at 401 Arena Road. Motion was made by Mr. Moss seconded by Mr. Favre that the following resolution be adopted to-wit:

RESOLUTION NO. 3046, M-C SERIES

Resolution approving liquor license for West Cal Arena & Event Center located at 401 Arena Road.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby approve liquor license for West Cal Arena & Event Center located at 401 Arena Road.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 10<sup>th</sup> day of April, 2017.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
DENNIS BERGERON, Chairman

The next item on the agenda is a resolution approving liquor license for Sake Japanese Inc., located at 2245 Maplewood Drive. Motion was made by Mr. Favre seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 3047, M-C SERIES

Resolution approving liquor license for Sake Japanese Inc., located at 2245 Maplewood Drive.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby approve liquor license for Sake Japanese Inc., located at 2245 Maplewood Drive.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 10<sup>th</sup> day of April, 2017.



ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
DENNIS BERGERON, Chairman

The next item on the agenda is a resolution authorizing the acceptance of the Substantial Completion Report on the Arena Road Sidewalk Project. Motion was made by Mr. Moss seconded by Mrs. Hardy that the following resolution be adopted to-wit:

RESOLUTION NO. 3048, M-C SERIES

Resolution authorizing the acceptance of the Substantial Completion Report on the Arena Road Sidewalk Project and authorize Mayor Christopher L. Duncan to sign all documents in connection therewith.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize the acceptance of the Substantial Completion Report on the Arena Road Sidewalk Project and authorize Mayor Christopher L. Duncan to sign all documents in connection therewith.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 10<sup>th</sup> day of April, 2017.

ATTEST:

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ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
DENNIS BERGERON, Chairman

The next item on the agenda is a resolution accepting petition for annexation from Bel Commercial, LLC, for 55.95 acres located east of Wright Road. Motion was made by Mr. Favre seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 3049, M-C SERIES

Resolution accepting petition from Bel Commercial, LLC, for the annexation of 55.95 acres located east of Wright Road.

WHEREAS, in accordance with 33:171 of the Louisiana Revised Statutes, the City Council is hereby accepting petition from Bel Commercial, LLC, for the following described property:

A CERTAIN PARCEL OF LAND BEING 55.95 ACRES SITUATED IN SECTION 11, TOWNSHIP – 10 – SOUTH, RANGE – 10 – WEST, CITY OF SULPHUR, CALCASIEU PARISH, LOUISIANA FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT FROM THE INTERSECTION OF WRIGHT RD AND CARLYSS BLVD BEING THE POINT OF COMMENCEMENT, THENCE NORTH 00°36'49" EAST A DISTANCE OF 1350.73 FEET, THENCE NORTH 90°00'00" EAST A DISTANCE OF 25 FEET TO A POINT BEING THE POINT OF BEGINNING.

THENCE SOUTH 89°32'41" EAST A DISTANCE OF 228.29 FEET TO A POINT;  
THENCE SOUTH 30°35'27" EAST A DISTANCE OF 53.04 FEET TO A POINT;  
THENCE SOUTH 32°21'29" EAST A DISTANCE OF 110.77 FEET TO A POINT;  
THENCE SOUTH 24°22'51" EAST A DISTANCE OF 108.11 FEET TO A POINT;  
THENCE SOUTH 44°07'27" EAST A DISTANCE OF 86.87 FEET TO A POINT;  
THENCE SOUTH 53°31'46" EAST A DISTANCE OF 126.85 FEET TO A POINT;  
THENCE SOUTH 34°45'58" EAST A DISTANCE OF 107.02 FEET TO A POINT;  
THENCE SOUTH 36°19'19" EAST A DISTANCE OF 95.26 FEET TO A POINT;  
THENCE SOUTH 38°29'57" EAST A DISTANCE OF 116.32 FEET TO A POINT;  
THENCE SOUTH 55°34'23" EAST A DISTANCE OF 80.88 FEET TO A POINT;  
THENCE SOUTH 70°30'38" EAST A DISTANCE OF 113.51 FEET TO A POINT;  
THENCE SOUTH 75°01'36" EAST A DISTANCE OF 87.89 FEET TO A POINT;  
THENCE SOUTH 72°17'26" EAST A DISTANCE OF 125.42 FEET TO A POINT;  
THENCE SOUTH 76°05'47" EAST A DISTANCE OF 92.22 FEET TO A POINT;  
THENCE NORTH 71°30'09" EAST A DISTANCE OF 125.33 FEET TO A POINT;  
THENCE SOUTH 00°46'32" WEST A DISTANCE OF 1901.94 FEET TO A POINT;  
THENCE SOUTH 89°10'24" WEST A DISTANCE OF 662.85 FEET TO A POINT;  
THENCE NORTH 00°41'41" EAST A DISTANCE OF 661.78 FEET TO A POINT;  
THENCE NORTH 89°15'59" WEST A DISTANCE OF 638.79 FEET TO A POINT;  
THENCE NORTH 00°36'50" EAST A DISTANCE OF 1982.22 FEET TO A POINT BEING THE POINT OF BEGINNING.

WHEREAS, said property, currently zoned as Agricultural land use district by Calcasieu Parish Police Jury; and

WHEREAS, said property shall be zoned Residential.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, that they do hereby accept petition from Bel Commercial, LLC, for the annexation of 55.95 acres located east of Wright Road.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mrs. Hardy, Mr. Favre, Mr. Moss  
NAYS: Mr. Bergeron  
ABSENT: None

And the said resolution was declared duly adopted on this 10<sup>th</sup> day of April, 2017.

ATTEST:

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ARLENE BLANCHARD, Clerk

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DENNIS BERGERON, Chairman

The next item on the agenda is a resolution declaring the intention of the City of Sulphur, State of Louisiana (The “City”) to proceed with a financing in an amount not to exceed Twenty-Seven Million and No/100 Dollars (\$27,000,000) for the purpose of financing costs of improvements, additions, acquisitions, repairs and/or expansions to the City’s infrastructure including water and sewer utilities and streets and roads, and pay costs of issuance of the bonds, and otherwise providing with respect thereto. Mr. Moss stated that Council needs to know from Administration what the long-range plans are. They would like this list within 30 days. Motion was then made by Mr. Moss seconded by Mrs. Hardy that this item be reset to June 12, 2017 City Council meeting.

Motion carried unanimously.

The next item on the agenda is a resolution accepting the extension of waterline on Teal Street. Mr. Bergeron stated that he would abstain since he works for the engineering firm that looked over this job. Motion was made by Mr. Moss seconded by Mr. Favre that the following resolution be adopted to-wit:

RESOLUTION NO. 3050, M-C SERIES

Resolution accepting extension of waterline on Teal Street.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept the extension of waterline on Teal Street.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

ABSTAIN: Mr. Bergeron

And the said resolution was declared duly adopted on this 10<sup>th</sup> day of April, 2017.

ATTEST:

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ARLENE BLANCHARD, Clerk

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DENNIS BERGERON, Chairman

The next item on the agenda is an introduction of ordinance authorizing the purchase of 614 N. Huntington St., authorizing Mayor Christopher L. Duncan to secure the services of Armor Title to prepare all closing documents, and authorizing Mayor Christopher L. Duncan to sign all paperwork in connection therewith. Mayor Duncan stated that the property is being sold for \$33,000.00. There may be a special meeting called for this public hearing. (*A special meeting will be held on Monday, April 24, 2017 at 5:00 p.m.*). Motion was made by Mr. Favre seconded by Mr. Moss that the following ordinance be introduced:

ORDINANCE AUTHORIZING THE ACQUISITION OF PROPERTY FROM  
DIANNA MAY ROYER COURVILLE (614 N. HUNTINGTON STREET).

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

## **PUBLIC NOTICE**

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

ORDINANCE AUTHORIZING THE ACQUISITION OF PROPERTY FROM  
DIANNA MAY ROYER COURVILLE (614 N. HUNTINGTON STREET).

A public hearing on said ordinance will be held at 5:00 p.m. on the 24<sup>th</sup> day of April, 2017, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: \_\_\_\_\_

DENNIS BERGERON, Chairman

Motion carried.

The next item on the agenda is a discussion concerning the number of radio towers in the city. Mrs. Ellender stated that she received a phone call from someone that was concerned about the number of radio towers we have in the city. Mr. Favre stated that the towers have to be located a certain distance from each other and they are all FCC regulated. Mr. Daigle, Director of Public Works, stated that they work close with Louisiana Radio on this. There have been times when someone wanted to erect a tower but we didn't let them since they didn't meet the requirements.

The next item on the agenda is Public to Address Council. Markel Andrepont addressed the Council and stated that he's upset that his chicken variance last month did not get a motion or second. He sent the Council an email and Dru is the only one that responded.

Bill LeBlanc asked that the red-lights be timed on Ruth Street to make it where you don't have to stop at every red-light.

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

ATTEST:

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ARLENE BLANCHARD, Clerk

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DENNIS BERGERON, Chairman

4/10/17  
6:52 P.M.