

August 14, 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 August 14, 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, 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 Mrs. Ellender, followed by the reciting of the Pledge of Allegiance led by Mrs. Page.

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. Hardy 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. Bergeron that item #15 be amended as follows:

Resolution approving Billy E. Loftin, Jr. as Assistant City Attorney for the City of Sulphur.

Mr. Moss stated that he would abstain from voting since Mr. Loftin does legal work for him.

A vote was then called with the results as follows:

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

And the said agenda was amended on this 14th day of August, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

Motion was then made by Mrs. Ellender seconded by Mr. Bergeron that item 4A be removed from the agenda:

To condemn building or structure located at 211 Evelyn Street, in accordance with Article IX, Section 5-286 through 5-296. (Dru Ellender)

Motion carried unanimously.

Motion was then made by Mr. Moss seconded by Mr. Bergeron that the agenda stand as changed.

Motion carried unanimously.

The first item on the agenda is a presentation by Armed Forces Committee. The Committee presented a certificate to Ryan Arnold and thanked him for his many years of service to our country.

The next item on the agenda is a public hearing on ordinance accepting Preliminary Plat from Bel Commercial, LLC for Belle Savanne Reserve Phase I. Motion was made by Mr. Bergeron seconded by Mr. Moss that the plat be amended. Mrs. Blanchard, Clerk, stated that the plat was amended after Land Use voted in July, recommended by Calcasieu Parish Police Jury, to allow for right of way on the northeast corner of Wright Road and Carlyss Blvd. extension.

Motion carried unanimously.

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

ORDINANCE NO. 1483, M-C SERIES AS AMENDED

ORDINANCE ACCEPTING PRELIMINARY PLAT FROM BEL COMMERCIAL
LLC, FOR BELLE SAVANNE RESERVE PHASE I.

WHEREAS, Bel Commercial, LLC, has submitted application to accept Preliminary Plat for Belle Savanne Reserve Phase I; and

WHEREAS, improvements on the property will include the following variances approved by Board of Zoning Adjustment on Monday, June 19, 2017:

1. Increase allowed building coverage from 40% to 50%.
2. Reduce total allowed lot area from 6,000 sq. ft. to 5,500 sq. ft.
3. Reduce required size of cul-de-sac lots from 10,000 sq. ft. to 6,000 sq. ft.
4. Reduce front setbacks from 30 feet to 12 feet for residence and 20 feet for garage.
5. Measurements to be taken from building face.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept Preliminary Plat from Bel Commercial, LLC, for Belle Savanne Reserve Phase I for the following described property:

A CERTAIN PARCEL OF LAND BEING 15.2 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 ROAD AND CARLYSS BOULEVARD BEING THE POINT OF COMMENCEMENT, THENCE NORTH 00°36'49" EAST A DISTANCE OF 48.97 FEET, THENCE NORTH 90°00'00" EAST A DISTANCE OF 25 FEET TO A POINT BEING THE POINT OF BEGINNING;

THENCE NORTH 00°36'49" EAST A DISTANCE OF 1301.76 FEET TO A POINT;

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 110.78 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 51°57'07" WEST A DISTANCE OF 215.49 FEET TO A POINT;

THENCE SOUTH 00°36'49" WEST A DISTANCE OF 393.41 FEET TO A POINT;

THENCE CONTINUE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1498.83 FEET, AN ARC LENGTH OF 49.50 FEET, A CHORD BEARING OF NORTH 80°47'40" WEST AND A CHORD DISTANCE OF 49.50 FEET;

THENCE SOUTH 09°01'13" WEST A DISTANCE OF 170.02 FEET TO A POINT;

THENCE CONTINUE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1250.00 FEET, AN ARC LENGTH OF 156.39 FEET, A CHORD BEARING OF NORTH 85°29'19" WEST AND A CHORD DISTANCE OF 156.29 FEET;

THENCE NORTH 89°04'23" WEST A DISTANCE OF 320.26 FEET TO A POINT BEING THE POINT OF BEGINNING.

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 14th day of August, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a public hearing on ordinance accepting Final Plat from West Hale South, LLC for property located at 2033 Ruth Street. Motion was made by Mr. Bergeron seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 1484, M-C SERIES

ORDINANCE ACCEPTING FINAL PLAT FROM WEST HALE SOUTH, LLC,
FOR PROPERTY LOCATED AT 2033 RUTH STREET.

WHEREAS, in accordance with Appendix B, Article III, Part 1, Section 1 (6) (c) and Chapter 18 of the Code of Ordinances of the City of Sulphur, application has been received from West Hale South, LLC, to accept final plat and make revisions to the Land Use Map for property located at 2033 Ruth Street for property described as follows:

TRACT 1

THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 OF SW/4) OF SECTION THREE (3), TOWNSHIP TEN (10) SOUTH, RANGE TEN (10) WEST, CALCASIEU PARISH, LOUISIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 OF SW/4) OF SECTION THREE (3), TOWNSHIP TEN (10) SOUTH, RANGE TEN (10) WEST, CALCASIEU PARISH, LOUISIANA;

THENCE SOUTH 00°28'37" WEST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 OF SW/4), FOR A DISTANCE OF 568.38 FEET;

THENCE NORTH 89°32'46" WEST, FOR A DISTANCE OF 94.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF LOUISIANA HIGHWAY 1256 (RUTH STREET), FORMERLY, LOUISIANA HIGHWAY 27;

THENCE SOUTH 00°28'37" WEST, ALONG SAID WEST RIGHT OF WAY LINE, FOR A DISTANCE OF 275.00 FEET, THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 00°28'37" WEST, ALONG SAID WEST RIGHT OF WAY LINE, FOR A DISTANCE OF 176.12 FEET;

THENCE NORTH 89°32'46" WEST, FOR A DISTANCE OF 200.00 FEET;

THENCE NORTH 00° 28'37" EAST, FOR A DISTANCE OF 176.12 FEET;

THENCE SOUTH 89°32'46" EAST, FOR A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING.

HEREIN DESCRIBED TRACT CONTAINING 35,224.00 SQUARE FEET OR 0.809 ACRES, MORE OR LESS, SUBJECT TO ANY EASEMENTS, SERVITUDES OR RIGHT OF WAY OF RECORD OR BY USE.

TRACT II

THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 OF SW/4) OF SECTION THREE (3), TOWNSHIP TEN (10) SOUTH, RANGE TEN (10) WEST, CALCASIEU PARISH, LOUISIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 OF SW/4) OF SECTION THREE (3), TOWNSHIP TEN (10) SOUTH, RANGE TEN (10) WEST, CALCASIEU PARISH, LOUISIANA;

THENCE SOUTH 00°28'37" WEST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 OF SW/4), FOR A DISTANCE OF 568.38 FEET;

THENCE NORTH 89°32'46" WEST, FOR A DISTANCE OF 94.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF LOUISIANA HIGHWAY 1256 (RUTH STREET), FORMERLY, LOUISIANA HIGHWAY 27;

THENCE SOUTH 00°28'37" WEST, ALONG SAID WEST RIGHT OF WAY LINE, FOR A DISTANCE OF 75.00 FEET;

THENCE NORTH 89°32'46" WEST, FOR A DISTANCE OF 200.00 FEET;

THENCE SOUTH 00°28'37" WEST, FOR A DISTANCE OF 43.76 FEET TO THE INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF THE PROPOSED NORTH INTERSTATE 10 FRONTAGE ROAD, THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 00°28'37" WEST, FOR A DISTANCE OF 332.36 FEET;

THENCE NORTH 89°32'46" WEST, FOR A DISTANCE OF 144.82 FEET;

THENCE NORTH 00°28'37" EAST, FOR A DISTANCE OF 308.69 FEET TO THE INTERSECTION WITH THE AFORESAID SOUTH RIGHT OF WAY LINE OF THE PROPOSED NORTH INTERSTATE 10 FRONTAGE ROAD, SAID POINT LYING IN A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 492.00 FEET;

THENCE NORTHEASTERLY, ALONG SAID SOUTH RIGHT OF WAY LINE AND SAID TANGENT CURVE TO THE RIGHT, FOR AN ARC LENGTH DISTANCE OF

147.30 FEET TO THE POINT OF BEGINNING, SAID CURVE HAVING A CHORD WHICH BEARS NORTH 81°10'14" EAST, A DISTANCE OF 146.75 FEET.

HEREIN DESCRIBED TRACT CONTAINING 45,080.74 SQUARE FEET OR 1.035 ACRES, MORE OR LESS, SUBJECT TO ANY EASEMENTS, SERVITUDES OR RIGHTS OF WAY OF RECORD OR BY USE.

TRACT III

THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 OF SW/4) OF SECTION THREE (3), TOWNSHIP TEN (10) SOUTH, RANGE TEN (10) WEST, CALCASIEU PARISH, LOUISIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 OF SW/4) OF SECTION THREE (3), TOWNSHIP TEN (10) SOUTH, RANGE TEN (10) WEST, CALCASIEU PARISH, LOUISIANA;

THENCE SOUTH 00°28'37" WEST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 OF SW/4), FOR A DISTANCE OF 568.38 FEET;

THENCE NORTH 89°32'46" WEST, FOR A DISTANCE OF 94.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF LOUISIANA HIGHWAY 1256 (RUTH STREET), FORMERLY, LOUISIANA HIGHWAY 27;

THENCE SOUTH 00°28'37" WEST, ALONG SAID WEST RIGHT OF WAY LINE, FOR A DISTANCE OF 75.00 FEET;

THENCE NORTH 89°32'46" WEST, FOR A DISTANCE OF 200.00 FEET;

THENCE SOUTH 00°28'37" WEST, FOR A DISTANCE OF 43.76 FEET TO THE INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF THE PROPOSED NORTH INTERSTATE 10 FRONAGE ROAD, SAID POINT LYING IN A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 492.00 FEET;

THENCE SOUTHWESTERLY, ALONG SAID TANGENT CURVE TO THE LEFT, FOR AN ARC LENGTH DISTANCE OF 147.30 FEET, THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT, SAID CURVE HAVING A CHORD WHICH BEARS SOUTH 81°10'14" WEST, A DISTANCE OF 146.75 FEET;

THENCE SOUTH 00°28'37" WEST, FOR A DISTANCE OF 308.69 FEET;

THENCE NORTH 89°32'46" WEST, FOR A DISTANCE OF 241.94 FEET;

THENCE NORTH 00°28'37" EAST, FOR A DISTANCE OF 139.64 FEET TO THE INTERSECTION WITH THE AFORESAID SOUTH RIGHT OF WAY LINE OF THE PROPOSED NORTH INTERSTATE 10 FRONTAGE ROAD;

THENCE NORTH 42°45'14" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, FOR A DISTANCE OF 43.10 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 492.00 FEET;

THENCE NORTHEASTLY, ALONG SAID TANGENT CURVE TO THE RIGHT, FOR AN ARC LENGTH DISTANCE OF 256.23 FEET TO THE POINT OF BEGINNING, SAID CURVE HAVING A CHORD WHICH BEARS NORTH 57°40'25" EAST, A DISTANCE OF 253.35 FEET.

HEREIN DESCRIBED TRACT CONTAINING 60,330.29 SQUARE FEET OR 1.385 ACRES, MORE OR LESS, SUBJECT TO ANY EASEMENTS, SERVITUDES OR RIGHTS OF WAY OF RECORD OR BY USE.

TRACT IV

THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 OF SW/4) OF SECTION THREE (3) TOWNSHIP TEN (10) SOUTH, RANGE TEN (10) WEST, CALCASIEU PARISH, LOUISIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 OF SW/4) OF SECTION THREE (3), TOWNSHIP TEN (10) SOUTH, RANGE TEN (10) WEST, CALCASIEU PARISH, LOUISIANA;

THENCE SOUTH 00°28'37" WEST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 OF SW/4), FOR A DISTANCE OF 568.38 FEET;

THENCE NORTH 89°32'46" WEST, FOR A DISTANCE OF 94.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF LOUISIANA HIGHWAY 1256 (RUTH STREET), FORMERLY LOUISIANA HIGHWAY 27, THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 00°28'37" WEST, ALONG SAID WEST RIGHT OF WAY LINE, FOR A DISTANCE OF 28.16 FEET TO THE INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF THE PROPOSED NORTH INTERSTATE 10 FRONTAGE ROAD;

THENCE NORTH 89°42'25" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, FOR A DISTANCE OF 195.60 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 582.00 FEET;

THENCE SOUTHWESTERLY, ALONG SAID TANGENT CURVE TO THE LEFT AND SAID NORTH RIGHT OF WAY LINE, FOR AN ARC LENGTH DISTANCE OF 482.89 FEET TO THE POINT OF TANGENT, SAID CURVE HAVING A CHORD WHICH BEARS SOUTH 66°31'25" WEST, A DISTANCE OF 469.16 FEET;

THENCE SOUTH 42°45'14" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, FOR A DISTANCE OF 14.34 FEET;

THENCE NORTH 89°31'12" WEST, FOR A DISTANCE OF 56.00 FEET;

THENCE NORTH 00°28'37" EAST, FOR A DISTANCE OF 229.59 FEET;

THENCE SOUTH 89°32'46" EAST, FOR A DISTANCE OF 690.00 FEET TO THE POINT OF BEGINNING.

HEREIN DESCRIBED TRACT CONTAINING 58,114.50 SQUARE FEET OR 1.334 ACRES, MORE OR LESS, SUBJECT TO ANY EASEMENTS, SERVITUDES OR RIGHTS OF WAY OF RECORD OR BY USE.

WHEREAS, this final plat is accepted by the City of Sulphur and may be withdrawn by the City of Sulphur should said final plat 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; and

WHEREAS, Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the acceptance of this final plat, 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; and

WHEREAS, if City Council does hereby accept this final plat and the owner of such 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 subdivision; and

WHEREAS, no work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this acceptance of final plat shall be withdrawn and considered null and void.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby accept the final plat from West Hale South, LLC and revise the Land Use Map for property located at 2033 Ruth Street.

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 14th day of August, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is RULE TO SHOW CAUSE for the condition of the following addresses:

- a. To condemn building or structure located at 881 A Boice Street, in accordance with Article IX, Section 5-286 through 5-296. (Dru Ellender)

Motion was made by Mrs. Ellender seconded by Mr. Bergeron that 881 A Boice Street be condemned.

Motion carried unanimously.

The next item on the agenda is a public hearing on ordinance amending the Code of Ordinances Section 8-1 (b) (8) – Unnecessary Noise. Mayor Duncan stated that this amendment will include all Districts, not just Residential. Motion was made by Mrs. Hardy seconded by Mrs. Ellender that the following ordinance be adopted to-wit:

ORDINANCE NO. 1485, M-C SERIES

AN ORDINANCE AMENDING CHAPTER 8, SECTION 1 (b) (8) OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – UNNECESSARY NOISE – NONEXCLUSIVE ENUMERATION.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that the following section be amended to read as follows:

Section 8-1. Unnecessary Noise.

(b) *Nonexclusive enumeration.* The following acts, among others, are declared to be loud, disturbing and unnecessary noises and noises in violation of this section, but this enumeration shall not be deemed to be exclusive:

(8) *Construction and repairing of buildings.* The erection (including excavating), demolition, alteration or repair of any building in any residential, mixed residential, mobile home, business, commercial or industrial district or section or the excavation of streets or highways in any residential, mixed, residential, mobile home, business, commercial or industrial district or section other than between the hours of 7:00 a.m. and 9:00 p.m., except in case of urgent necessity, in the interest of public health and safety, and then only with a permit from the Mayor, which permit may be granted for a period not to exceed thirty (30) days while the emergency continues. If the Mayor should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways between the hours of 9:00 p.m. and 7:00 a.m. and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done between the hours of 9:00 p.m. and 7:00 a.m. upon the application being made either at the time the permit for the work is awarded or during the progress of the work.

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. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 14th day of August, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a public hearing on ordinance declaring certain surplus immovable property (structure at 614 N. Huntington Street) and authorize Mayor Christopher L. Duncan to dispose of same. Mayor Duncan stated that this house will be moved off property.

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

ORDINANCE NO. 1486, M-C SERIES

AN ORDINANCE DECLARING CERTAIN SURPLUS MOVABLE PROPERTY OF THE CITY OF SULPHUR AND PROVIDING FOR THE DISPOSAL THEREOF (STRUCTURE LOCATED AT 614 N. HUNTINGTON STREET).

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, and in accordance with LA. R.S. 33:4712, that the following described surplus movable property of the City of Sulphur, not needed for public purposes, after having been duly advertised be declared surplus:

Structure located on the following described property bearing municipal address of 614 N. Huntington Street, Sulphur, Louisiana:

Commencing one hundred fifty (150) feet North of the Southwest Corner of Block Twenty (20) of the Oak Grove Addition to the Town of Sulphur, Louisiana, as per plat recorded in Plat Book 3 at Page 181, being the Ella G. Perkins Subdivision of the Southeast Quarter of the Southwest Quarter (SE/4 of SW/4) of Section Twenty-Seven (27), Township Nine (9) South, Range Ten (10) West, Louisiana Meridien, thence north sixty-nine (69) feet, thence east one hundred forty-three and six tenths (143.6) feet, thence south sixty-nine (69) feet, thence west one hundred forty-three and six tenths (143.6) feet to point of commencement; AND ALSO the South nine (9) feet of the West Half (W1/2) of Block Nineteen (19) of Oak Grove Addition to the City of Sulphur, Louisiana, as per plat recorded in Plat Book 3 at Page 181, records of Calcasieu Parish, Louisiana, together with all buildings and improvements situated thereon.

BE IT FURTHER ORDAINED that Mayor Christopher L. Duncan is authorized to dispose of the afore-mentioned surplus movable property and to sign all documents in connection therewith.

BE IT ALSO FURTHER ORDAINED that this ordinance shall become effective immediately upon the 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 14th day of August, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is an introduction of ordinance amending Chapter 12, Section 18 of the Code of Ordinances of the City of Sulphur – Charge of city for bookkeeping and handling expense. Mayor Duncan stated that Clerk of Court fees have double and some have tripled so we need to go up on our fees for this section. Motion was made by Mr. Moss seconded by Mr. Bergeron that the following ordinance be introduced:

ORDINANCE AMENDING CHAPTER 12, SECTION 18 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – CHARGE OF CITY FOR BOOKKEEPING AND HANDLING EXPENSE.

Motion was then made by Mr. Moss seconded by Mr. Bergeron 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 12, SECTION 18 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – CHARGE OF CITY FOR BOOKKEEPING AND HANDLING EXPENSE.

A public hearing on said ordinance will be held at 5:30 p.m. on the 11th day of September, 2017, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____
RANDY FAVRE, Chairman

Motion carried.

The next item on the agenda is an introduction of ordinance amending Chapter 3, Section 33 of the Code of Ordinances of the City of Sulphur – Renewal of permit. Motion was made by Mr. Bergeron seconded by Mr. Moss that the following ordinance be introduced:

ORDINANCE AMENDING CHAPTER 3, SECTION 33 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – RENEWAL OF PERMIT.

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

PUBLIC NOTICE

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

ORDINANCE AMENDING CHAPTER 3, SECTION 33 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – RENEWAL OF PERMIT.

A public hearing on said ordinance will be held at 5:30 p.m. on the 11th day of September, 2017, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

RANDY FAVRE, Chairman

Motion carried.

The next item on the agenda is an introduction of ordinance amending Chapter 8, to provide for Burglary and robbery alarms. Chief Coats stated that there’s been a tremendous amount of false alarms. Many years ago when Council adopted Title 14 there were some ordinances that were

deleted. This ordinance is the exact same ordinance we had many years ago. Motion was made by Mr. Moss seconded by Mr. Bergeron that the following ordinance be introduced:

ORDINANCE AMENDING CHAPTER 8, TO PROVIDE FOR BURGLARY AND ROBBERY ALARMS.

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

PUBLIC NOTICE

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

ORDINANCE AMENDING CHAPTER 8, TO PROVIDE FOR BURGLARY AND ROBBERY ALARMS.

A public hearing on said ordinance will be held at 5:30 p.m. on the 11th day of September, 2017, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

RANDY FAVRE, Chairman

Motion carried.

The next item on the agenda is a resolution awarding low bid received for Concrete Street Rehabilitation Project FYE 2017 (patching only North Huntington Street from West Lincoln Street to West Burton Street). Motion was made by Mrs. Ellender seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 3076, M-C SERIES

Resolution awarding low bid received for Concrete Street Rehabilitation Project FYE 2017 (patching only North Huntington Street from West Lincoln Street to West Burton Street).

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for Concrete Street Rehabilitation Project FYE 2017 (patching only North Huntington Street from West Lincoln Street to West Burton Street) were opened and read aloud in an open and public bid session on Tuesday, July 18, 2017, at 10:00 a.m. and bids were as follows:

<u>Company</u>	<u>Base Bid Amount</u>
R.D. Spell, Inc.	\$276,300.00
John Bailey, Inc.	\$286,380.00
Cecil Perry Improvements, LLC	\$304,641.00
Tanner Heavy Equipment	\$314,424.00
Simco Enterprises, Inc.	\$348,478.00
E.B. Feucht & Sons, LLC	\$355,240.00
R. Cloud Construction Co., Inc.	\$356,658.00
McManus Construction, Inc.	\$380,250.00

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Christopher L. Duncan and award the bid for Concrete Street Rehabilitation Project FYE 2017 (patching only North Huntington Street from West Lincoln Street to West Burton Street) as follows:

<u>Company</u>	<u>Base Bid Amount</u>
R.D. Spell, Inc.	\$276,300.00

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 14th day of August, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a resolution authorizing advertisement for sealed bids for structure located at 614 N. Huntington St. Mayor Duncan stated that this house is 1,094 sq. ft. The minimum bid is \$10,000. The City paid \$33,000 for the house and the property. Mr. Bergeron asked why sealed bids? Mayor Duncan stated that they spoke to the Legislative Auditor's office and they suggested sealed bids. Motion was made Mr. Bergeron seconded by Mrs. Hardy that the following resolution be adopted to-wit:

RESOLUTION NO. 3077, M-C SERIES

Resolution authorizing the advertisement of sealed bids for structure located at 614 North Huntington Street.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize advertisement of sealed bids for structure located at 614 North Huntington Street, said bids to be in accordance with the quantities and specifications on file with the City of Sulphur Purchasing Department, City Hall, 101 North Huntington Street, Sulphur, LA 70663.

BE IT FURTHER RESOLVED that the advertisement of bids will be in "The Southwest Daily News, the official journal of the City of Sulphur, in three separate publications, giving notice as follows:

NOTICE TO BIDDERS

Separate and sealed bids for the advertisement of bids for structure located at 614 North Huntington Street, will be received by the Clerk of the Council until 10:00 a.m. on the 3rd day of October, 2017, at which time bids will be opened and read aloud in an open and public bid opening session to be conducted by the Director of Finance in the Conference Room at the City Hall, and the City Council shall at a regular meeting on the 10th day of October, 2017, at 5:30 p.m. proceed to award the bid to the highest bidder, to waive irregularities, or to reject any and all bids, or otherwise proceed thereto as provided by law. Bids are also available electronically at www.bidexpress.com; free membership is required to access. Said bids to be in accordance with the quantities and specifications on file with the City of Sulphur Purchasing Department, City Hall, 101 North Huntington Street, Sulphur, LA 70663.

CITY OF SULPHUR, LOUISIANA

BY _____
RANDY FAVRE, Chairman

BE IT FURTHER RESOLVED that the City Council of the City of Sulphur, Louisiana will meet in open and public session at the regular place in the Council Chambers located at 500 North Huntington Street on the 10th day of October, 2017, at 5:30 p.m. and shall then and there proceed to award the bids to the highest bidder or to reject any and all bids, otherwise proceed thereto as provided by law.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 14th day of August, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a resolution approving liquor license for More 4 Less #45 located at 3350 Maplewood Dr. Motion was made by Mr. Moss seconded by Mr. Bergeron that the following resolution be adopted to-wit:

RESOLUTION NO. 3078, M-C SERIES

Resolution approving liquor license for More 4 Less #45 located at 3350 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 More 4 Less #45 located at 3350 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 14th day of August, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a resolution accepting and approving Certificate of Substantial Completion for Addition to Ward 4 Marshal's Office. Mayor Duncan stated that there weren't any items on the punch list. Motion was made by Mr. Moss seconded by Mr. Bergeron that the following resolution be adopted to-wit:

RESOLUTION NO. 3079, M-C SERIES

Resolution accepting and approving Certificate of Substantial Completion for Addition to Ward 4 Marshal's Office.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept and approve Certificate of Substantial Completion for Addition to Ward 4 Marshal's Office.

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 14th day of August, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to submit FFY 2017 Edward Byrne Allocation Justice Assistance Grant (JAG) for laptops and adaptors. Motion was made by Mr. Moss seconded by Mrs. Hardy that the following resolution be adopted to-wit:

RESOLUTION NO. 3080, M-C SERIES

Resolution authorizing Mayor Duncan to submit FY 2017 Edward Byrne Allocation Justice Assistance Grant (JAG) for laptops and adaptors.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Christopher L. Duncan to submit FY 2017 Edward Byrne Allocation Justice Assistance Grant (JAG) for laptops and adaptors.

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 14th day of August, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a resolution approving Billy E. Loftin, Jr. as Assistant City Attorney for the City of Sulphur. Mayor Duncan stated that there are extra funds in the budget for this and we need the extra help. Mr. Loftin has worked for the City of Lake Charles for many years and has years of experience in the legal field. Mr. Loftin has also worked under the Home Rule Charter. Motion was made by Mr. Bergeron seconded by Mrs. Hardy that the following resolution be adopted to-wit:

RESOLUTION NO. 3081, M-C SERIES

Resolution approving Billy E. Loftin, Jr. as Assistant City Attorney 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 approve Billy E. Loftin, Jr. as Assistant City Attorney for the City of Sulphur.

Mr. Moss stated that he would abstain from voting since Mr. Loftin does legal work for him.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

ABSTAIN: Mr. Moss

And the said resolution was declared duly adopted on this 14th day of August, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is Public to Address Council. Jack Silverman spoke against the proposed changes to the Home Rule Charter.

Bill LeBlanc asked Council to revisit the junk car ordinance.

Mr. Favre spoke on the proposed changes to the Home Rule Charter and the Committee. He thanked the committee and stated that these were only suggested changes for the Council to look at and would not be going on any ballot in the near future.

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

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

8/14/17
6:20 P.M.