

September 11, 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 September 11, 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 (attended at 5:38 p.m.)
DENNIS BERGERON, Council Representative of District 2
RANDY FAVRE, Council Representative of District 4
STUART MOSS, Council Representative of District 5

ABSENT: MELINDA HARDY, Council Representative of District 3

After the meeting was called to order and the roll called with the above result, prayer was led by Mr. Montgomery, followed by the reciting of the Pledge of Allegiance led by Mayor Duncan.

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. Bergeron 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 #16 be removed from the agenda (*this was a duplicate to item #18*):

16. Resolution authorizing Mayor Christopher L. Duncan to sign contract for radio system.

Motion carried unanimously.

Motion was then made by Mr. Moss seconded by Mr. Bergeron that item #13 be amended to read as follows:

Introduction of Ordinance amending Chapter 18, Section 20 (a) and (b) of the Code of Ordinances of the City of Sulphur – Wastewater Collection and Transport System.

Motion carried unanimously.

Motion was then made by Mr. Moss seconded by Mr. Bergeron that the following item be added to the agenda:

Introduction of ordinance amending General Fund Budget for Fiscal Year ending June 30, 2018.

Mr. Moss stated that this item was being added to the agenda to move money back into General Fund to help with the bond and bonding rates. It'll help with the \$15 million bond issue (#12 on agenda) for sewer, streets and wastewater.

With no comment from the public, motion carried unanimously.

Motion was made by Mr. Moss seconded by Mr. Bergeron 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 Earl Blackwelder with a certificate and thanked him for his many years of service to our country.

The next item on the agenda is a presentation to Tornado Baseball 12 U team. Mayor Duncan presented a certificate to each player on the team and congratulated them on the state win.

The next item on the agenda is a public hearing on 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 made by Mr. Moss seconded by Mr. Bergeron that the following ordinance be adopted to-wit:

ORDINANCE NO. 1488, M-C SERIES

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

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Chapter 12, Section 18 of the Code of Ordinances of the City of Sulphur, Louisiana as follows:

Sec. 12-18. - Same—Charge of city for bookkeeping and handling expense.

The city shall levy an annual charge, to cover bookkeeping and other handling expenses, not to exceed two hundred dollars (\$200.00), for each parcel of property on which the city is required to employ the necessary labor and perform the necessary work for cutting of grass and weeds.

BE IT ALSO FURTHER ORDAINED that this Ordinance shall become effective upon the Mayor's signature.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Hardy

And the said ordinance was declared duly adopted on this 11th day of September, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a public hearing on ordinance amending Chapter 3, Section 33 of the Code of Ordinances of the City of Sulphur – Renewal of permit. Motion was made by Mr. Moss seconded by Mr. Bergeron that the following ordinance be adopted to-wit:

ORDINANCE NO. 1489 , M-C SERIES

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

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Chapter 3, Section 33 of the Code of Ordinances of the City of Sulphur, Louisiana as follows:

Sec. 3-33. - Renewal of permit.

- a) Persons holding permits under this division shall file applications for renewal thereof for the ensuing year in the manner provided by this division on or before November 1st, and shall pay the permit fee required under this division in cash or certified check at the time of making application for renewal. Anyone filing his renewal application after November 30th shall be charged a delinquency penalty of twenty-five (25) percent over and above the regular fee. If a permittee fails to make his application for renewal before January first, his application may be denied and the collector may, without notice or hearing, suspend his right to do business.
- (b) Any permittee who makes his application for renewal before January first shall continue business until issuance of the new permit under his old permit unless it has been suspended or revoked or the new permit withheld or denied. Renewal permits may be withheld or denied on the same grounds and in the same manner as an original permit.

BE IT ALSO FURTHER ORDAINED that this Ordinance shall become effective upon the Mayor's signature.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Hardy

And the said ordinance was declared duly adopted on this 11th day of September, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a public hearing on ordinance amending Chapter 8, to provide for Burglary and robbery alarms. Motion was made by Mr. Moss seconded by Mr. Bergeron that the following amendment be made:

- This ordinance shall become effective October 11, 2017.

Motion carried unanimously.

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

ORDINANCE NO. 1490, M-C SERIES

ORDINANCE AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES OF THE
CITY OF SULPHUR TO PROVIDE FOR BURGLARY AND ROBBERY ALARMS.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Chapter 8 of the Code of Ordinances of the City of Sulphur to read as follows:

Sec. 8-12. Burglary and robbery alarms.

(a) Definitions.

1. Alarm system. Any assembly of equipment or devices, mechanical or electrical, which is designed, arranged or used for the detection of a hazardous condition or an unauthorized entry or attempted entry into a building, structure, facility or residence, or for alerting persons of a hazardous condition or the commission of an unlawful act to or within a building, structure, facility or residence and which emits a sound or transmits a signal or message when activated, to which the Police Department of the City of Sulphur, Louisiana, is expected to respond, but this definition shall not include an alarm system installed in a vehicle or a fire alarm.
2. Alarm user. Any person in control of any building, structure, facility or residence or a portion thereof, wherein an alarm system is maintained. However, a church or other religious organization, or any other nonprofit corporation not engaged in a regular business activity, shall be exempt from the provisions of subsection (e) of this section.
3. False Alarm. A signal from an alarm system eliciting a response by police when an investigation indicates no criminal activity occurred to cause the alarm signal or it is

otherwise determined that a situation requiring a response by the police did not in fact exist.

4. Police. The Police Department of the City of Sulphur, Louisiana.

(b) Alarm system operating requirements.

1. An alarm system shall be adjusted to suppress false indications due to:
 - a. Transient pressure changes in water pipes
 - b. Flashes of light
 - c. Wind noise caused by rattling or vibration of windows or doors
 - d. Vehicular noise
 - e. Electrical power fluctuations
 - f. Other forces unrelated to an actual emergency
2. All alarm users shall provide the police with the same, telephone number and address of at least one (1) authorized person, who shall be available to respond and shall arrive at the building, structure, facility or residence where an alarm has been activated within thirty (30) minutes, when requested to do so by the police. All alarm users shall promptly notify the police of any change in the designation or manner of contacting an authorized person.
3. Audible alarms shall be adjusted so that the alarm will sound for no longer than thirty (30) minutes, and must be reset before sounding again.

(c) False alarms.

1. Whenever an alarm system is activated in the city, thereby requiring an emergency response to the location by the police, and the police do respond, a police officer on the scene of the activated alarm system shall inspect the area protected by the system and shall determine whether the alarm was a false alarm. However, an alarm user shall not be held accountable for a false alarm caused by:
 - a. Natural or man-made catastrophe;
 - b. Vandalism;
 - c. Telephone line outage;
 - d. Severe weather conditions causing damage to the premises;

The alarm user shall have the burden of proving these causes.

2. If the police officer at the scene of the activated alarm system determines the alarm to a “false alarm”, the officer shall make a report of the false alarm, and if the alarm user is determined to be held accountable, a notification of the false alarm shall be mailed or delivered to the alarm user, at the address of the alarm system installation location. The determination of the police officer may be appealed to the chief of police. The decision of the chief of police shall be the final administrative decision. However, nothing contained herein shall prevent an alarm user from pursuing any matter that is the subject of this section in any of the several courts of this state.
 3. The chief of police, or his designee, shall have the right to inspect any alarm system on the premises to which a response has been made and he may cause an inspection of such systems to be made at any reasonable time thereafter to determine whether the alarm system is being operated in conformity with the provisions of this section.
- (d) Assistance. Persons in, about, or who respond by coming to the site of an alarm activation shall obey all reasonable requests for assistance by the police including, but not limited to, identifying themselves to police officers, or leaving the building upon request. Such persons will also promptly notify the police of any and all hazards to the officer which exist within the building, structure, facility, residence or area.
- (e) Service fees for false alarm notifications.
1. The alarm user shall be charged a service fee for false alarms pursuant to the following scheduled:
 - a. One (1) through three (3) – No charge. A warning will be included in the notification to the alarm user.
 - b. Four (4) through six (6) – Twenty-five dollars (\$25.00) each occurrence.
 - c. Six (6) through twenty-four (24) – Fifty dollars (\$50.00) each occurrence.
 - d. Twenty-five (25) or more – Two hundred dollars (\$200.00) each occurrence.
 - e. Charges for service fees shall be made to the alarm user by certified mail and due ten (10) days upon receipt.

Sec. 8-13. Penalty.

Any person violating the provisions shall be subject to a fine of not more than five hundred dollars (\$500.00).

This ordinance shall become effective October 11, 2017.

A vote was then called with the results as follows:

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

And the said ordinance was declared duly adopted on this 11th day of September, 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 address:

- a. To condemn building or structure located at 311 Bryan Street, in accordance with Article IX, Section 5-286 through 5-296.

Mrs. VanderHey stated that all the electrical wiring has been destroyed in the home. She's asked them to clean the property and they haven't. Cody, owner, addressed the Council and stated that since his ex-wife didn't get the trailer she went in it and ripped everything out. He stated that he works a lot and don't have time to mess with it. Mrs. VanderHey stated that this has been going on for more than 2 years. The owner stated that it would cost \$42,000 to make the repairs. Mr. Bergeron stated that there is currently an RV on the property that can stay on property but it can't be hooked up to water, sewer, etc. The mobile home will be demolished. You'll have 30 days to demolish it yourself but if not done within 30 days then the City will find someone to demolish it. Mrs. VanderHey stated that if Council rules to demolish it then everything will be removed from property including the RV. Motion was then made by Mr. Bergeron seconded by Mr. Moss that the above address be demolished but the RV can stay on the property.

Motion carried unanimously.

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

- b. To condemn building or structure located at 625 North Johnson Street, in accordance with Article IX, Section 5-286 through 5-296.

Mrs. VanderHey stated that this owner owes the City a lot of money due to liens for grass cutting. Motion was made by Mrs. Ellender seconded by Mr. Moss that the above address be condemned.

Motion carried unanimously.

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

- a. To condemn building or structure located at 1213 West Crocker Street, in accordance with Article IX, Section 5-286 through 5-296.

Mrs. VanderHey stated that the house is full of mold and the children of the deceased owner does not want the house and wish to relinquish it. Motion was made by Mr. Bergeron seconded by Mrs. Ellender that the above address be condemned.

Motion carried unanimously.

The next item on the agenda is a public hearing on ordinance granting the zoning of property to City of Sulphur for property located off Gradney Street to Industrial. Motion was made by Mr. Moss seconded by Mrs. Ellender that the following ordinance be adopted to-wit:

ORDINANCE NO. 1491, M-C SERIES

ORDINANCE ZONING PROPERTY TO INDUSTRIAL FOR THE CITY OF
SULPHUR FOR PROPERTY LOCATED OFF GRADNEY STREET.

WHEREAS, at the time City Council adopted zoning in 2003, said parcel failed to be zoned.

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 zone property for the
City of Sulphur to Industrial for the following described property to wit:

ALL THAT PORTION SE NW 36.9.10 LYING N OF R/W LA W RR 6 ACS

LESS AND EXCEPT:

COM INTERSECTION OF E LINE SW NW 36.9.10 AND N LINE SOUTHERN
PACIFIC R/W TH W 200 FT N 174 FT ET.

If City Council does hereby approve this Zoning the City 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 Zoning.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Hardy

And the said ordinance was declared duly adopted on this 11th day of September, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a public hearing on ordinance granting a rezone from Mixed Residential to Industrial to the City of Sulphur for property located off Gradney Street. Motion was made by Mr. Moss seconded by Mr. Bergeron that the following ordinance be adopted to-wit:

ORDINANCE NO. 1492, M-C SERIES

ORDINANCE GRANTING A REZONE FROM MIXED RESIDENTIAL TO
INDUSTRIAL TO THE CITY OF SULPHUR FOR PROPERTY LOCATED OFF
GRADNEY STREET.

WHEREAS, the City Council of the City of Sulphur, Louisiana, hereby grants a rezone from Mixed Residential to Industrial for the following described property to wit:

COM INTERSECTION OF E LINE SW NW 36.9.10 AND N LINE SOUTHERN
PACIFIC R/W TH W 200 FT N 174 FT ET.

If City Council does hereby approve this Rezoning the City 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 Rezone.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Hardy

And the said ordinance was declared duly adopted on this 11th day of September, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a resolution accepting petition for annexation from Bel Commercial, LLC, for property located west of Wright Road, south of Sabine. (To hear complete discussion, log onto www.sulphur.org and click on “Council” tab). After discussion, motion was made by Mr. Bergeron seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 3082, M-C SERIES

Resolution accepting petition from Bel Commercial, LLC, for the annexation of 44.98 acres located west of Wright Road, south of Sabine.

WHEREAS, in accordance with Article III, Part 1, Section 1 (6) of the Land Use Ordinance of the City of Sulphur, Louisiana, and 33:171 of the Louisiana Revised Statutes, the City Council is revising the official Land Use map and accepting annexation petition for the following described property:

SOUTH SABINE DIVERSION – SECTION 15, T10S-R10W: SE NE

THAT CERTAIN TRACT OF LAND SITUATED IN SECTION 15, TOWNSHIP 10 SOUTH, RANGE 10 WEST, CITY OF SULPHUR, CALCASIEU PARISH, LOUISIANA, CONTAINING 44.98 ACRES AND BEING MORE FULLY DESCRIBE AS FOLLOWS:

COMMENCING AT THE ROADWAY CENTERLINES OF WRIGHT ROAD AND RAVIA ROAD, SAID POINT BEING THE POINT OF COMMENCEMENT;

THENCE PROCEED ALONG A BEARING OF SOUTH 15°31'03" WEST FOR A DISTANCE OF 30.91 FEET TO A POINT OF OINT BEING THE POINT OF BEGINNING;

THENCE PROCEED ALONG A BEARING OF NORTH 88°23'50" WEST FOR A DISTANCE OF 1326.07 FEET TO A POINT, (5/8" IRON ROD);

THENCE PROCEED ALONG A BEARING OF NORTH 01°03'10" EAST FOR A DISTANCE OF 1464.70 FEET TO A POINT, (5/8" IRON ROD);

THENCE PROCEED ALONG A BEARING OF NORTH 89°47'16" EAST FOR A DISTANCE OF 1312.61 FEET TO A POINT, (5/8" IRON ROD);

THENCE PROCEED ALONG A BEARING OF SOUTH 00°29'00" WEST FOR A DISTANCE OF 1506.99 FEET TO A POINT, (5/8" IRON ROD),

SAID 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 44.98 acres located west of Wright Road, south of Sabine.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Hardy

And the said resolution was declared duly adopted on this 11th day of September, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a public hearing on ordinance accepting final plat from Roger Glen Grimball, Jr., DDS, LLC, for property located on Maplewood Drive, east of Midsouth Bank and CVS Pharmacy. Motion was made by Mr. Bergeron seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 1493, M-C SERIES

ORDINANCE ACCEPTING FINAL PLAT FROM ROGER GLEN GRIMBALL,
JR. DDS, LLC, FOR PROPERTY LOCATED ON MAPLEWOOD DRIVE.

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 Roger Glen Grimball, Jr. DDS, LLC, to accept final plat and make revisions to the Land Use Map for property located on Maplewood Drive, east of 1500 Beglis Parkway for property described as follows:

DESCRIPTION OF RECORD:

LOT B OF RESUBDIVISION OF AN UNDESIGNATED TRACT OF LAND IN SEC. 2-T10S-R10W IN LOTS A & B, SULPHUR, SOUTHWESTERN LAND DISTRICT, CALCASIEU PARISH, LOUISIANA, FILED FOR RECORD MARCH 29, 2007 IN PLAT BOOK 16, PAGE 174 UNDER FILE NO. 2803944 AND AS CORRECTED BY AFFIDAVIT OF CORRECTION TO PLAT OF SURVEY, FILED JUNE 16, 2001 UNDER FILE NO. 2966370 OF THE RECORDS OF CALCASIEU PARISH, LOUISIANA.

TOGETHER WITH RIGHTS CONTAINED IN AGREEMENT PROVIDING ACCESS EASEMENT, RESTRICTIVE COVENANT AND PREDIAL SERVITUDE DATED JUNE 11, 2010 BY AND BETWEEN SCP 2006-C23-168 LLC, A DELAWARE LIMITED LIABILITY COMPANY, ROGER GLEN GRIMBALL, JR., DDS, LLC AND LOUISIANA CVS PHARMACY, LLC, A LOUISIANA LIMITED LIABILITY COMPANY, RECORDED JUNE 16, 2010 UNDER FILE NUMBER 2966378 IN THE CONVEYANCE RECORDS OF CALCASIEU PARISH, LOUISIANA.

SURVEYOR'S DESCRIPTION:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 1.842 ACRES, MORE OR LESS, SITUATED IN SECTION 2, TOWNSHIP 10 SOUTH, RANGE 10 WEST, SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 10 SOUTH, RANGE 10 WEST, SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA, THENCE EAST (RECORD) FOR A DISTANCE OF 50.00 FEET (RECORD) TO A POINT; THENCE SOUTH 00 DEGREES 35 MINUTES 47 SECONDS WEST (RECORD SOUTH), PASSING OVER A FOUND 5/8 INCH ROD AT A DISTANCE OF 45.04 FEET, AND CONTINUE FOR A TOTAL DISTANCE OF 180.00 FEET (RECORD) TO A POINT, FROM WHENCE A FOUND 3/5 INCH ROD BEARS NORTH 89 DEGREES 20 MINUTES 04 SECONDS WEST A DISTANCE OF 0.07 FEET;

THENCE SOUTH 89 DEGREES 20 MINUTES 04 SECONDS EAST (RECORD NORTH 89 DEGREES 43 MINUTES 40 SECONDS EAST) FOR A DISTANCE OF 150.00 FEET (RECORD) TO A POINT; THENCE NORTH 00 DEGREES 40 MINUTES 59 SECONDS EAST (RECORD NORTH 00 DEGREES 18 MINUTES 20 SECONDS WEST) FOR A DISTANCE 135.00 FEET (RECORD) TO A POINT IN THE SOUTH RIGHT OF WAY LINE OF MAPLEWOOD DRIVE, FROM WHENCE A FOUND PUNCH MARK BEAR, NORTH 00 DEGREES 40 MINUTES 59 SECONDS EAST A DISTANCE OF 0.19 FEET; THENCE SOUTH 89 DEGREES 20 MINUTES 54 SECONDS EAST (RECORD NORTH 89 DEGREES 41 MINUTES 40 SECONDS EAST) ALONG THE SOUTH RIGHT OF WAY LINE OF MAPLEWOOD DRIVE FOR A DISTANCE OF 67.59 FEET (RECORD) TO A FOUND PUNCH MARK AND THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE SOUTH 89 DEGREES 11 MINUTES 36 SECONDS EAST (RECORD NORTH 89 DEGREES 41 MINUTES 40 SECONDS EAST) ALONG THE SOUTH RIGHT OF WAY LINE OF MAPLEWOOD DRIVE FOR A DISTANCE OF 219.23 FEET (RECORD 219.31 FEET) TO A FOUND "X" CHISELED IN CONCRETE; THENCE, LEAVING THE SOUTH RIGHT OF WAY LINE OF MAPLEWOOD DRIVE, AND RUN SOUTH 00 DEGREES 42 MINUTES 56 SECONDS WEST (RECORD SOUTH 00 DEGREES 13 MINUTES 20 SECONDS EAST) FOR A DISTANCE OF 396.63 FEET (RECORD 396.95 FEET) TO A SET ½ INCH IRON ROD; THENCE SOUTH 89 DEGREES 16 MINUTES 17 SECONDS EAST (RECORD NORTH 89 DEGREES 47 MINUTES 40 SECONDS EAST) FOR A DISTANCE OF 100.00 FEET (RECORD) TO A FOUND 5/8 INCH IRON ROD; THENCE SOUTH 00 DEGREES 43 MINUTES 53 SECONDS WEST (RECORD SOUTH 00 DEGREES 18 MINUTES 20 SECONDS EAST) FOR A DISTANCE OF 30.79 FEET (RECORD) TO A FOUND 5/8 INCH IRON ROD; THENCE NORTH 89 DEGREES 19 MINUTES 05 SECONDS WEST (RECORD SOUTH 89 DEGREES 41 MINUTES 40 SECONDS WEST) FOR A DISTANCE OF 244.15 FEET (RECORD) TO A SET ½ INCH ROD; THENCE NORTH 00 DEGREES 27 MINUTES 00 SECONDS EAST (RECORD NORTH 00 DEGREES 18 MINUTES 20 SECONDS WEST) FOR A DISTANCE OF 158.75 FEET (RECORD) TO A SET ½ INCH IRON ROD; THENCE NORTH 29 DEGREES 05 MINUTES 57 SECONDS WEST (RECORD NORTH 30 DEGREES 18 MINUTES 31 SECONDS WEST) FOR A DISTANCE OF 149.15 FEET (RECORD) TO A FOUND ¼ INCH IRON ROD; THENCE NORTH 00 DEGREES 37 MINUTES 49 SECONDS EAST (RECORD NORTH 00 DEGREES 18 MINUTES 20 SECONDS WEST) FOR A DISTANCE OF 140.00 FEET (RECORD) TO THE POB; CONTAINING AN AREA OF 80,226 SQUARE FEET OR 1.842 ACRES, MORE OR LESS.

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 Roger Glen Grimball, Jr., DDS, LLC and revise the Land Use Map for property located to the east of 1500 Beglis Parkway.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Hardy

And the said ordinance was declared duly adopted on this 11th day of September, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a public hearing on ordinance rescinding Ordinance No. 1270, M-C Series, adopted December 8, 2014, which granted a rezone to Dyrell Stokes for property located at 310 Patton Street, from Residential District to Business District to allow for a vintage retail business. Motion was made by Mr. Bergeron seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 1494, M-C SERIES

ORDINANCE RESCINDING ORDINANCE NO. 1270, M-C SERIES THAT GRANTED A REZONE TO DYRELL STOKES FOR PROPERTY LOCATED AT 310 PATTON STREET, FROM RESIDENTIAL TO BUSINESS TO ALLOW FOR A VINTAGE RETAIL BUSINESS.

WHEREAS, on December 8, 2014, City Council adopted Ordinance No. 1270, M-C Series which rezoned 310 Patton Street, from Residential to Business to allow for a vintage retail business; and

WHEREAS, applicant wishes to rescind the previously adopted rezone ordinance and revert back to residential for property described as follows:

LOT 6 BLK 1, W ½ LOT B AND E 236 FT LOT C SOUTH ACRES SUB

WHEREAS, owner of said property shall be responsible for the recordation 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 rescinding of ordinance.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby rescind Ordinance No. 1270, M-C Series that granted a rezone to Dyrell Stokes for property located at 310 Patton Street, from Residential to Business to allow for a vintage retail business which was adopted December 8, 2014 by City Council.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Hardy

And the said ordinance was declared duly adopted on this 11th day of September, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is an introduction of ordinance authorizing incurrence of debt to provide financing for additions, acquisitions, repairs and/or expansions needed to maintain city owned works of public improvement, including water and sewer utilities, streets and roads and drainage (the "Project"); authorizing borrowing funds from the Louisiana Local Government

Environmental Facilities and Community Development Authority (“Authority”); prescribing the form, fixing the details and providing for payment thereof; entering into certain covenants and agreements in connection with security and payment of said debt; authorizing and approving execution of a loan agreement with the authority; and providing for other matters in connection therewith. Mr. Moss stated that this money will be used for lift stations, roads, major projects. Mr. Bergeron stated that he would abstain from voting since he works for City’s engineering firm, Meyer and Associates. Motion was then made by Mr. Moss seconded by Mrs. Ellender that the following ordinance be introduced:

AN ORDINANCE AUTHORIZING INCURRENCE OF DEBT TO FINANCE ADDITIONS, ACQUISITIONS, REPAIRS AND/OR EXPANSIONS NEEDED TO MAINTAIN CITY OWNED WORKS OF PUBLIC IMPROVEMENT, INCLUDING WATER AND SEWER UTILITIES, STREETS AND ROADS AND DRAINAGE; AUTHORIZING BORROWING FUNDS FROM THE LOUISIANA LOCAL GOVERNMENT ENVIRONMENTAL FACILITIES AND COMMUNITY DEVELOPMENT AUTHORITY (“AUTHORITY”); PRESCRIBING THE FORM, FIXING THE DETAILS AND PROVIDING FOR PAYMENT THEREOF; ENTERING INTO CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION WITH SECURITY AND PAYMENT OF SAID DEBT; AUTHORIZING AND APPROVING EXECUTION OF A LOAN AGREEMENT WITH THE AUTHORITY; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

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

PUBLIC NOTICE

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

AN ORDINANCE AUTHORIZING INCURRENCE OF DEBT TO FINANCE ADDITIONS, ACQUISITIONS, REPAIRS AND/OR EXPANSIONS NEEDED TO MAINTAIN CITY OWNED WORKS OF PUBLIC IMPROVEMENT, INCLUDING WATER AND SEWER UTILITIES, STREETS AND ROADS AND DRAINAGE; AUTHORIZING BORROWING FUNDS FROM THE LOUISIANA LOCAL GOVERNMENT ENVIRONMENTAL FACILITIES AND COMMUNITY DEVELOPMENT AUTHORITY (“AUTHORITY”); PRESCRIBING THE FORM, FIXING THE DETAILS AND PROVIDING FOR PAYMENT THEREOF; ENTERING INTO CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION WITH SECURITY AND PAYMENT OF SAID DEBT; AUTHORIZING AND APPROVING EXECUTION OF A LOAN AGREEMENT WITH THE AUTHORITY; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

A public hearing on said ordinance will be held at 5:30 p.m. on the 10th day of October, 2017, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

RANDY FAVRE, Chairman

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Hardy

ABSTAIN: Mr. Bergeron

And the said ordinance was declared introduced on this 11th day of September, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is an introduction of ordinance amending Chapter 18, Section 20 (a) and (b) of the Code of Ordinances of the City of Sulphur – Wastewater Collection and

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

ORDINANCE AMENDING CHAPTER 18, SECTION 20 (A) AND (B) OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR, LOUISIANA – WASTEWATER COLLECTION AND TRANSPORT SYSTEM.

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

PUBLIC NOTICE

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

ORDINANCE AMENDING CHAPTER 18, SECTION 20 (A) AND (B) OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR, LOUISIANA – WASTEWATER COLLECTION AND TRANSPORT SYSTEM.

A public hearing on said ordinance will be held at 5:30 p.m. on the 10th day of October, 2017, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____
RANDY FAVRE, Chairman

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Hardy

And the said ordinance was declared introduced on this 11th day of September, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is an introduction of ordinance amending Chapter 18, Section 22 (h) of the Code of Ordinances of the City of Sulphur – Drainage. Motion was made by Mr. Moss seconded by Mrs. Ellender that the following ordinance be introduced:

ORDINANCE AMENDING CHAPTER 18, SECTION 22 (H) OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR, LOUISIANA – DRAINAGE.

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

PUBLIC NOTICE

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

ORDINANCE AMENDING CHAPTER 18, SECTION 22 (H) OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR, LOUISIANA – DRAINAGE.

A public hearing on said ordinance will be held at 5:30 p.m. on the 10th day of October, 2017, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____
RANDY FAVRE, Chairman

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Hardy

And the said ordinance was declared introduced on this 11th day of September, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is an introduction of ordinance declaring immovable surplus property of the City (various equipment). Motion was made by Mr. Moss seconded by Mr. Bergeron that the following ordinance be introduced:

AN ORDINANCE DECLARING CERTAIN SURPLUS MOVABLE PROPERTY OF THE CITY OF SULPHUR AND PROVIDING FOR THE DISPOSAL THEREOF (COMPUTERS, EQUIPMENT, ETC).

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:

AN ORDINANCE DECLARING CERTAIN SURPLUS MOVABLE PROPERTY OF THE CITY OF SULPHUR AND PROVIDING FOR THE DISPOSAL THEREOF (COMPUTERS, EQUIPMENT, ETC).

A public hearing on said ordinance will be held at 5:30 p.m. on the 10th day of October, 2017, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY:_____
RANDY FAVRE, Chairman

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Hardy

And the said ordinance was declared introduced on this 11th day of September, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a resolution authorizing advertisement for bids for Protective Jacket and Pants for Structural Firefighting. Motion was made by Mr. Moss seconded by Mr.

Bergeron that the following resolution be adopted to-wit:

RESOLUTION NO. 3083, M-C SERIES

Resolution authorizing the advertisement of bids for protective jacket and pants for structural firefighting.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize advertisement of bids for protective jacket and pants for structural firefighting, said bids to be in accordance with the quantities and specifications on file with the City of Sulphur Purchasing Department, 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 protective jacket and pants for structural firefighting will be received by the Clerk of the Council until 10:30 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 lowest 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, 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 at City Hall on the 10th day of October, 2017, at 5:30 p.m. and shall then and there proceed to award the bids to the lowest 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: Mr. Ellender, Mr. Bergeron, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: Mrs. Hardy

And the said resolution was declared adopted on this 11th day of September, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a resolution authorizing Chief Dan Selph to sign agreement with Motorola Solutions, Inc. for Motorola Solution's ASTRO25 Express System. (To hear complete discussion, log onto www.sulphur.org and click on "Council" tab). Motion was made by Mr. Moss seconded by Mr. Bergeron that the following resolution be adopted to-wit:

RESOLUTION NO. 3084, M-C, SERIES

Resolution authorizing Chief Dan Selph to sign agreement with Motorola Solutions, Inc. for Motorola Solution's ASTRO25 Express System.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Chief Dan Selph to sign agreement with Motorola Solutions, Inc. for Motorola Solution's ASTRO25 Express System.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Hardy

And the said resolution was declared adopted on this 11th day of September, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a resolution authorizing the advertisement of bids for Upgrade Regional Sewerage Pumps Phase I Hwy. 108 Pump Station Project. Mr. Bergeron stated that he would abstain from voting since he works for the City's engineering firm, Meyer and Associates. Motion was made by Mr. Moss seconded by Mrs. Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 3085, M-C SERIES

Resolution authorizing the advertisement of bids for Upgrade Regional Sewerage Pumps Phase 1 Hwy. 108 Pump Station Project.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize advertisement of bids for the Upgrade Regional Sewerage Pumps Phase 1 Hwy. 108 Pump Station Project, said bids to be in accordance with the quantities and specifications on file with Meyer and Associates, located at 600 North Cities Service Hwy., 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 four separate publications, giving notice as follows:

NOTICE TO BIDDERS

Separate and sealed bids for the advertisement of bids for the Upgrade Regional Sewerage Pumps Phase 1 Hwy. 108 Pump Station Project will be received by the Clerk of the Council until 11:00 a.m. on the 25th 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 Public Works in the Conference Room at the City Hall. City Council will proceed to award the bid, subject to approval of the award action by the Louisiana Office of Facility Planning and Control, as to be announced at a later date, to the lowest bidder, to waive irregularities, or to reject any and all bids. 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 Meyer and Associates, located at 600 North Cities Service Hwy., Sulphur, LA 70663.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Hardy

ABSTAIN: Mr. Bergeron

And the said resolution was declared adopted on this 11th day of September, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to enter into a Joint Services Agreement with Calcasieu Parish Police Jury for GIS mapping services.

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

RESOLUTION NO. 3086, M-C SERIES

Resolution authorizing Mayor Christopher L. Duncan to enter into a Joint Services Agreement with Calcasieu Parish Police Jury for GIS mapping services.

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 enter into a Joint Services Agreement with Calcasieu Parish Police Jury for GIS mapping services.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Hardy

And the said resolution was declared adopted on this 11th day of September, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is an introduction of ordinance amending General Fund Budget for Fiscal Year ending June 30, 2018. Motion was made by Mr. Moss seconded by Mr. Bergeron that the following ordinance be introduced:

AN ORDINANCE AMENDING AND RE-ADOPTING THE GENERAL FUND BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2018.

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:

AN ORDINANCE AMENDING AND RE-ADOPTING THE GENERAL FUND BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2018.

A public hearing on said ordinance will be held at 5:30 p.m. on the 10th day of October, 2017, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____
RANDY FAVRE, Chairman

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Hardy

And the said ordinance was declared introduced on this 11th day of September, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

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

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

9/11/17
7:05 P.M.