

April 8, 2019

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 8, 2019 at 5:30 p.m., after full compliance with the convening of said meeting with the following members present:

DRU ELLENDER, Council Representative of District 1
MIKE KOONCE, Council Representative of District 2
MELINDA HARDY, Council Representative of District 3

JOY ABSHIRE, Council Representative of District 4 (arrived at 5:55 p.m.)
MANDY THOMAS, Council Representative of District 5 (arrived at 5:50 p.m.)

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

The Chairman asked if there were any changes to the minutes of the previous meeting. With no changes made, motion was made by Mrs. Hardy seconded by Mr. Koonce 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 Mrs. Hardy seconded by Mr. Koonce that item #11 and #12 be removed from the agenda.

Consideration of going into Executive Session to discuss the following claim:

Victory Worship Center
Claim No. 1348087

RESOLUTION authorizing Mayor Danahay to settle the following claim:

Victory Worship Center
Claim No. 1348087

Motion carried unanimously.

Motion was then made by Mrs. Hardy seconded by Mr. Koonce that item #1A be added to the agenda.

Presentation by Citgo on grant for Hurricane Preparedness.

Council Clerk stated that this item was being added since the agenda was already published at the time Administration received the information. There weren't any comments from the public.

Motion carried unanimously.

Motion was then made by Mrs. Hardy seconded by Mr. Koonce that item #10A be added to the agenda:

Resolution authorizing the advertisement of bids for Savoy Road Improvements.

The Chairman stated that this item was being added since the agenda was already published at the time Administration received the information. There weren't any comments from the public.

Motion carried unanimously.

Motion was then made by Mr. Koonce 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. Since two of the Councilmen were running late, this item was being moved further down the agenda until they got to the meeting. Motion was then made by Mr. Koonce seconded by Mrs. Hardy that this item be taken up again subject to the call of the Chairman. Motion carried unanimously.

The next item on the agenda is a presentation by Citgo on grant for Hurricane Preparedness. Citgo representatives presented Mayor and City Council with a check for

\$175,000 for hurricane preparedness. Mayor Danahay and Council thanked them for their generosity.

The next item on the agenda is a public hearing on ordinance granting a rezone to Shannon Properties, LLC, from Mixed Residential to Business, 701 East Napoleon Street (southeast portion) to allow for ice and water distribution to area businesses. Motion was made by Mrs. Hardy seconded by Mr. Koonce that the following amendment be added:

There shall be no 18-wheelers south of Elm Street.

Motion carried unanimously.

Motion was then made by Mrs. Hardy seconded by Mr. Koonce that the following ordinance be adopted to-wit:

ORDINANCE NO. 1617, M-C SERIES AS AMENDED

ORDINANCE GRANTING A REZONE TO SHANNON PROPERTIES, LLC,
FROM MIXED RESIDENTIAL TO BUSINESS 701 EAST NAPOLEON STREET,
TO ALLOW FOR ICE AND WATER DISTRIBUTION TO AREA BUSINESSES.

WHEREAS, Shannon Properties, LLC, has submitted application to rezone from Mixed Residential to Business District with the following stipulation:

Ingress/Egress for 18-wheelers shall be kept off Elm Street.

There shall be no 18-wheelers south of Elm Street.

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 Shannon Properties, LLC, from Mixed Residential to Business District for the following described property to wit:

Lot 9 of Blk A of George Lock Subdivision

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.

NOW THEREFORE, BE IT FURTHER ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Shannon Properties, LLC, from Mixed Residential to Business for property located at 701 East Napoleon Street, to allow for ice and water distribution to area businesses.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mrs. Hardy

NAYS: None

ABSENT: Mrs. Abshire, Mrs. Thomas (arrived later in the meeting)

And the said ordinance was declared duly adopted on this 8th day of April, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

Mrs. Thomas arrived at the meeting at 5:50 p.m.

Mrs. Abshire arrived at the meeting at 5:55 p.m.

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

To condemn building or structure located at 222 West Thomas Street, in accordance with Article IX, Section 5-286 through 5-296.

After discussion, motion was made by Mr. Koonce seconded by Mrs. Hardy that the following address be condemned:

222 West Thomas

A vote was then called with the results as follows:

YEAS: None

NAYS: Mrs. Ellender, Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

ABSENT: None

And the said Rule to Show Cause failed on this 8th day of April, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance authorizing Mayor Mike Danahay to sign Cooperative Endeavor Agreement with Calcasieu Parish Police Jury to accept 100% ownership of 2396 Tammy Drive (Hazard Mitigation Federal Grant #1603-019-0003). Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be adopted to-wit:

ORDINANCE NO. 1618, M-C SERIES

ORDINANCE AUTHORIZING MAYOR MIKE DANAHAY TO SIGN COOPERATIVE ENDEAVOR AGREEMENT WITH THE CALCASIEU PARISH POLICE JURY TO ACCEPT 100% OWNERSHIP OF 2396 TAMMY DRIVE (HAZARD MITIGATION FEDERAL GRANT NUMBER 1603-019-0003).

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Mike Danahay to sign Cooperative Endeavor Agreement with the Calcasieu Parish Police Jury to accept 100% ownership of Tammy Drive (Hazard Mitigation Federal Grant number 1603-019-0003), more particularly described as follows:

LOT NINETEEN (19) AND THE EAST 7.5 FEET OF LOT TWENTY (20) OF BLOCK TEN (10) OF ROSE PARK NO. 4, A SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 OF NW/4) OF SECTION 1, TOWNSHIP 10 SOUTH, RANGE 10 WEST, AS PER PLAT RECORDED IN PLAT BOOK 13, PAGE 40, RECORDS OF CALCASIEU PARISH, LOUISIANA.

BE IT FURTHER ORDAINED that the Mayor, Mike Danahay, is hereby authorized, empowered, and directed to execute such agreements or documents in connection therewith, which will be substantially in accordance with the agreements in part herewith and attached hereto.

BE IT FURTHEREST ORDAINED that this Ordinance shall become effective upon the Mayor's approval, or upon proper re-adoption by the Council pursuant to Section 2-13(C) of the Home Rule Charter of the City of Sulphur.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas
NAYS: None
ABSENT: None

And the said ordinance was declared duly adopted on this 8th day of April, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance authorizing Mayor Mike Danahay to sign Cooperative Endeavor Agreement with Calcasieu Parish Police Jury to accept 100% ownership of 2400 Mary Ann Drive (Hazard Mitigation Federal Grant #1603-019-0026).

Donnie Fuslier made comments

Motion was then made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be adopted to-wit:

ORDINANCE NO. 1619, M-C SERIES

ORDINANCE AUTHORIZING MAYOR MIKE DANAHAY TO SIGN COOPERATIVE ENDEAVOR AGREEMENT WITH CALCASIEU PARISH POLICE JURY TO ACCEPT 100% OWNERSHIP OF 2400 MARY ANN DRIVE (HAZARD MITIGATION FEDERAL GRANT #1603-019-0026)

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Mike Danahay to sign Cooperative Endeavor Agreement with the Calcasieu Parish Police Jury to accept 100% ownership of 2400 Mary Ann Drive (Hazard Mitigation Federal Grant #1603-019-0026), more particularly described as follows:

LOT NINE (9) AND THE WEST 10 FEET OF LOT EIGHT (8) OF BLOCK EIGHT (8) OF ROSE PARK NO. 4, A SUBDIVISION IN THE SOUTHEAST QUARER OF THE NORTHWEST QUARTER (SE/4 OF NW/4) OF SECTION 1, TOWNSHIP 10 SOUTH, RANGE 10 WEST, AS PER PLAT RECORDED IN PLAT BOOK 13, PAGE 40, RECORDS OF CALCASIEU PARISH, LOUISIANA.

BE IT FURTHER ORDAINED that the Mayor, Mike Danahay, is hereby authorized, empowered, and directed to execute such agreements or documents in connection therewith, which will be substantially in accordance with the agreements in part herewith and attached hereto.

BE IT FURTHEREST ORDAINED that this Ordinance shall become effective upon the Mayor's approval, or upon proper re-adoption by the Council pursuant to Section 2-13(C) of the Home Rule Charter of the City of Sulphur.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 8th day of April, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance abandoning a 50-foot strip of property on north end of Mathew Street extension (North side of West Napoleon Street).

Motion was made by Mr. Koonce seconded by Mrs. Thomas that the following ordinance be adopted to-wit:

ORDINANCE NO. 1620, M-C SERIES

ORDINANCE ABANDONING A 50-FOOT STRIP OF PROPERTY ON THE NORTH END OF MATHEW STREET EXTENSION – PROPERTY BETWEEN 618 AND 700 WEST NAPOLEON STREET.

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

The following described portion of right-of-way located in the City of Sulphur be abandoned by the City of Sulphur inasmuch as its use has been abandoned and is not required for public use:

That strip of property which lies on the north side of West Napoleon Street and which lies between 618 and 700 West Napoleon Street (see attached map).

The right-of-way which lies between the following described properties shall be divided into two equal parts and parallel strips:

618 West Napoleon Street

A certain piece or portion of ground, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, advantages and appurtenances belonging or in anywise appertaining, situated in the Parish of Calcasieu, State of Louisiana, Lots Five (5), Six (6), Seven (7) and Eight (8) of Block "V" of the City of Sulphur, Louisiana, as per plat recorded in Conveyance Book 27 at page 67, records of Calcasieu Parish, Louisiana, said Block "V" being bounded on the East by Second Street, on the South by Napoleon Street, on the West by Second [sic] Street, and on the North by Railroad property.

700 West Napoleon Street

A certain piece or portion of ground, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, advantages and appurtenances thereunto belonging or in anywise appertaining, situated in the Parish of Calcasieu, State of Louisiana, Lots One (1) and Six (6) of Block IV of the Town of Sulphur, Louisiana, a subdivision of the South Half of the Northwest Quarter (S/2 of NW/4) of Section Thirty-Four (34), Township Nine (9) South, Range Ten (10) West, as per plat recorded in the Conveyance Book 27 at page 67, records of Calcasieu Parish, Louisiana, together with all buildings and improvements situated thereon, said Block IV being bounded on the South by U.S. Highway 90, on the East by First Street and on the North by Railroad right-of-way, said Lots One (1) and Six (6) being further described as follows:

Commencing at the Southeast corner of said Block IV, thence North 200 feet, thence West 50 feet, thence South 200 feet, thence East 50 feet to the point of commencement.

BE IT FURTHER ORDAINED that the ownership of all the soil covered and embraced in the described right-of-way shall revert to the present owner or owners of the land contiguous thereto.

BE IT FURTHER ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby abandon a 50-foot strip of property on the north end of Mathew Street extension – north of West Napoleon Street

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon the Mayor's approval, or upon proper re-adoption by the Council pursuant to Section 2-13(C) of the Home Rule Charter of the City of Sulphur.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 8th day of April, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution authorizing the advertisement of bids for 65 Regulators for the Fire Department. Motion was made by Mrs. Hardy seconded by Mrs. Thomas that the following resolution be adopted to-wit:

RESOLUTION NO. 3216, M-C SERIES

Resolution authorizing the advertisement of bids for 65 Regulators for the Fire Department.

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 65 Regulators for the Fire Department, said bids to be in accordance with the quantities and specifications on file with City of Sulphur Purchasing Department, 101 North Huntington Street, Sulphur LA 70663 or online at BidXpress.

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 65 Regulators for the Fire Department will be received by the Clerk of the Council until 10:00 a.m. on the 1st day of May, 2019, 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 13th day of May, 2019, 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 or online at BidXpress.

CITY OF SULPHUR, LOUISIANA

BY _____
DRU ELLENDER, 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 13th day of May, 2019, 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: Mrs. Ellender, Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 8th day of April, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution approving liquor license for West Cal Arena for Simien Stables Trailride & Scholarship. Motion was made by Mrs. Abshire seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 3215, M-C SERIES

Resolution approving liquor license for West Cal Arena for Simien Stables Trailride & Scholarship.

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 for Simien Stables Trailride & Scholarship.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 8th day of April, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution appointing Veronica Allison to the Land Use Commission to fill the unexpired term of Mike Moore. Motion was made by Mrs. Hardy seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 3217, M-C SERIES

Resolution appointing a member to the Land Use Commission for District 3.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby appoint Veronica Allison to the Land Use Commission for District 3 to fill the unexpired term of Mike Moore. Term runs concurrent with City Council.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 8th day of April, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution approving liquor license for More 4 Less #45, 3350 Maplewood Drive. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following resolution be adopted to-wit:

RESOLUTION NO. 3218, M-C SERIES

Resolution approving liquor license for More 4 Less #45, 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, 3350 Maplewood Drive.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 8th day of April, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution authorizing the advertisement of bids for Savoy Road Improvements. Motion was made by Mrs. Hardy seconded by Mrs. Thomas that the following resolution be adopted to-wit:

RESOLUTION NO. 3219, M-C SERIES

Resolution authorizing the advertisement of bids for Savoy Road Improvements.

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 Savoy Road Improvements, said bids to be in accordance with the quantities and specifications on file with Meyer and Associates, 600 North Cities Service Hwy., Sulphur, Louisiana 70663 or online at BidXpress.

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 Savoy Road Improvements will be received by the Clerk of the Council until 10:00 a.m. on the 8th day of May, 2019, 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, and the City Council shall at a regular meeting on the 13th day of May, 2019, 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 Meyer and Associates, 600 North Cities Service Hwy., Sulphur, Louisiana 70663 or online at BidXpress.

CITY OF SULPHUR, LOUISIANA

BY _____
DRU ELLENDER, 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 13th day of May, 2019, 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: Mrs. Ellender, Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 8th day of April, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is Public Comment. The following people spoke:

Donnie Fuslier

Bill LeBlanc

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

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

4/8/19

6:17 P.M.