

November 8, 2021

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 November 8, 2021, 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
MANDY THOMAS, 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. Hardy, followed by the reciting of the Pledge of Allegiance led by Mrs. Thomas.

The Chairman asked if there were any changes to the minutes of the previous meeting. With no changes made, motion was made by Mrs. Ellender seconded by Mr. Koonce that the minutes stand as written. Motion carried unanimously.

Motion was then made by Mrs. Hardy seconded by Mrs. Ellender that item #12 be amended from a Cooperative Endeavor Agreement to a Joint Services Agreement.

Motion carried unanimously.

Motion was made by Mrs. Hardy seconded by Mrs. Thomas that item #17A be added to the agenda.

Resolution approving liquor license for Torstop LLC, located at 2060 Ruth Street.

There weren't any comments from the public.

(This item was being added to the agenda since the agenda was already published at the time this information was received).

Motion carried unanimously.

Motion was then made by Mrs. Ellender seconded by Mrs. Thomas that the agenda stand as amended.

Motion carried unanimously.

The first item on the agenda is a presentation by Sulphur Armed Forces Commission. No one from the Commission attended the meeting.

The next item on the agenda is a public hearing and adoption on redistricting plan for the City of Sulphur. Motion was made by Mr. Koonce seconded by Mrs. Thomas that the following ordinance be adopted to-wit:

ORDINANCE NO. 1747, M-C SERIES

ORDINANCE AMENDING APPENDIX A OF THE HOME RULE CHARTER OF THE CITY OF SULPHUR, LOUISIANA, TO REPEAL THE DESCRIPTIONS AND DESIGNATIONS OF EXISTING SULPHUR CITY COUNCIL DISTRICTS, ESTABLISH NEW SULPHUR CITY COUNCIL DISTRICTS, DESCRIBE THE BOUNDARIES OF EACH NEW DISTRICT AND OTHERWISE TO PROVIDE WITH RESPECT THERETO.

SECTION 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SULPHUR, LOUISIANA, in regular session convened, that:

In accordance with Sulphur Home Rule Charter Section 2-02, Appendix A of the Home Rule Charter of the City of Sulphur, Louisiana, is hereby amended and reenacted, effective as provided herein, to read as follows:

Appendix A

There is hereby established a 2021 reapportionment plan, as follows:

The five Sulphur City Council districts shall be comprised of the territory within each district as set forth herein:

DISTRICT 1

The boundary description for District 1 is as follows:

Beginning at the northwest corporate boundary of the City of Sulphur, southerly to West Napoleon Street, westerly on West Napoleon Street to Kim Street, northerly on Kim Street to Southern Pacific Railroad, westerly along Southern Pacific Railroad to the west corporate boundary of the City of Sulphur, southerly along west corporate boundary of the City of Sulphur to West Napoleon Street, generally westerly, southerly, easterly, northerly, easterly, northwesterly to West Napoleon Street, easterly on West Napoleon Street to Kim Street, southerly on Kim Street to Sara Street, easterly on Sara Street to Picard Road, northerly on Picard Road to

Southern Pacific Railroad, easterly along Southern Pacific Railroad to Lewis Street, northerly on Lewis Street to East Burton Street, easterly on East Burton Street to North Beglis Parkway, northerly on North Beglis Parkway to South Scott Drive, westerly on South Scott Drive to West Scott Drive, northerly on West Scott Drive to North Scott Drive, easterly on North Scott Drive to North Beglis Parkway, northerly on North Beglis Parkway to the north corporate boundary of the City of Sulphur, generally westerly along the north corporate boundary of the City of Sulphur to point of beginning.

DISTRICT 2

The boundary description for District 2 is as follows:

Beginning at the intersection of Logan Street and Picard Road, southerly on Picard Road to I-10, westerly on I-10 to the western corporate boundary of the City of Sulphur, southerly on the west corporate boundary of the City of Sulphur, then easterly on the south corporate boundary of the City of Sulphur to Hwy. 1256, southerly on Hwy. 1256 to Clay Street, easterly on Clay Street following the eastern corporate boundary of the City of Sulphur, generally northerly, easterly, northerly, southwesterly to Hwy. 1256, northerly on Hwy. 1256, to Chennault Street, easterly on Chennault Street following the eastern corporate limits of the City of Sulphur, generally northeasterly to Stillwell Street, northerly on Stillwell Street following the eastern boundary of the City of Sulphur, generally westerly to Hwy. 1256, northerly on Hwy. 1256 to Patch Street, easterly on Patch Street to Allen Street, southerly on Allen Street following the corporate boundary of the City of Sulphur to McNair Street, westerly on McNair Street to Hwy. 1256, southerly on Hwy. 1256 to the south corporate boundary of the City of Sulphur, generally easterly, southerly, easterly to Wright Road, northerly on Wright Road following the corporate boundary of the City of Sulphur, generally easterly, southerly, easterly to Beglis Parkway, northerly on Beglis Parkway following the corporate boundary of the City of Sulphur, generally northwesterly to Wright Road, north on Wright Road to Patch Street, easterly on Patch Street to Broussard Road, northerly on Broussard Road following the corporate boundary of the City of Sulphur back to Patton Street, easterly on Patton Street, following the corporate boundary of the City of Sulphur generally southerly, westerly to Broussard Road, southerly on Broussard Road to Patton Street, westerly on Patton Street following the corporate boundary of the City of Sulphur to Patch Street, westerly on Patch Street following the corporate boundary of the City of Sulphur to Allen Street, northerly on Allen Street to I-10, easterly, southeasterly to South Beglis Parkway, northerly on South Beglis Parkway to Argin Street, westerly on Argin Street to Loretto Avenue, southerly on Loretto Avenue to Taylor Street, westerly on Taylor Street to Mathilda Drive, northerly on Mathilda Drive to Ginger Street, westerly on Ginger Street to East Kent Drive, northerly on East Kent Drive to Cypress Street, westerly on Cypress Street to point of beginning.

DISTRICT 3

The boundary description for District 3 is as follows:

Beginning at the intersection of the north corporate boundary of the City of Sulphur and North Beglis Parkway, southerly on North Beglis Parkway to North Scott Drive, westerly on North Scott Drive to West Scott Drive, southerly on West Scott Drive to South Scott Drive, easterly on South Scott Drive to North Beglis Parkway, southerly on North Beglis Parkway to East Burton Street, westerly on East Burton Street to Lewis Street, southerly on Lewis Street to Southern Pacific Railroad, westerly on Southern Pacific Railroad to Picard Road, southerly on Picard Road to Logan Street, easterly on Logan Street to Cypress Street, easterly on Cypress Street to East Kent Drive, southerly on East Kent Drive to Ginger Street, easterly on Ginger Street to Mathilda Drive, southerly on Mathilda Drive to Taylor Street, easterly on Taylor Street to Loretto Avenue, northerly on Loretto

Avenue to Argin Street, easterly on Argin Street to Beglis Parkway, southerly on Beglis Parkway to south corporate boundary of the City of Sulphur, generally easterly, northerly, easterly to Post Oak Road, northerly on Post Oak Road to Maplewood Drive, westerly on Maplewood Drive to Louisiana Avenue, northwesterly on Louisiana Avenue to Georgia Street, easterly on Georgia Street to Arkansas Street, southeasterly on Arkansas Street to Post Oak Road, northerly on Post Oak Road to Napoleon Street, easterly on Napoleon Street to eastern boundary of the City of Sulphur, generally northeasterly, westerly, northerly, westerly to point of beginning.

DISTRICT 4

The boundary description for District 4 is as follows:

Beginning at the intersection of Napoleon Street and Post Oak Road, southerly on Post Oak Road to Arkansas Street, northwesterly on Arkansas Street to Georgia Street, westerly on Georgia Street to Louisiana Avenue, southeasterly on Louisiana Avenue to Maplewood Drive, easterly on Maplewood Drive to Post Oak Road, southerly on Post Oak Road to I-10, easterly on I-10 to Hazel Street, northerly on Hazel Street to the northern corporate boundary of the City of Sulphur, generally westerly, northerly to East Napoleon Street, westerly on East Napoleon Street following the corporate boundary of the City of Sulphur to point of beginning.

DISTRICT 5

The boundary description for District 5 is as follows:

Beginning at the intersection of the north corporate boundary of the City of Sulphur and Hazel Street, southerly on Hazel Street to the south corporate boundary of the City of Sulphur, generally southwestly, southerly, easterly, northerly, easterly, northerly to I-10, easterly on I-10 following the corporate boundary of the City of Sulphur, generally southerly, easterly to Cities Service Hwy., northerly on Cities Service Hwy. to the south corporate boundary of the City of Sulphur, then northeasterly along the east corporate boundary of the City of Sulphur to Maplewood Drive, easterly on Maplewood Drive to the east corporate boundary of the City of Sulphur, generally northwesterly to East Napoleon Street, easterly on East Napoleon Street to the east boundary of the City of Sulphur, generally northwesterly, northeasterly to the north corporate boundary of the City of Sulphur, westerly on the north corporate boundary of the City of Sulphur to the west corporate boundary of the City of Sulphur, southerly on the west corporate boundary of the City of Sulphur to Southern Pacific Railroad, westerly on Southern Pacific Railroad to the west corporate boundary of the City of Sulphur, then southerly on the west corporate boundary of the City of Sulphur to the north corporate boundary of the City of Sulphur, then westerly along the north corporate boundary of the City of Sulphur to point of beginning.

SECTION II

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SULPHUR, LOUISIANA, that a map outlining the 5 single-member council districts for redistricting of the City Council of the City of Sulphur is hereby attached hereto, made a part hereof, and labeled as "Map 1".

SECTION III

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SULPHUR, LOUISIANA, that this ordinance shall be effective at the end of the term of the incumbent Council Members, and used in the regular election of their replacements, in accordance with Louisiana Revised Statute 33:1371,

therefore the Sulphur City Council districts that were adopted by the Sulphur City Council on December 12, 2011, shall remain in full force and effect for all purposes, except for the election of members of the Sulphur City Council at the April 30, 2022, general election, until May 17, 2022, at 12 o'clock noon.

SECTION IV

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SULPHUR, LOUISIANA, that the Sulphur City Council Districts established in this ordinance shall immediately be effective for the limited purpose of qualifying for and election to the Sulphur City Council at the April 30, 2022, regular election and shall become fully effective for all purposes on May 17, 2022, at 12 o'clock noon.

SECTION V

The corporate boundary of the City of Sulphur reference in this ordinance means the corporate boundary that was legally in effect on the date of adoption of this ordinance, regardless of any subsequent change in the corporate boundary.

SECTION VI

Any ordinances, or parts thereof, held to be in conflict with this ordinance are hereby repealed. If any word, clause, phrase, section or other portion of this ordinance is determined to be legally null, void, invalid, illegal, unconstitutional or otherwise legally unenforceable, all remaining words, clauses, phrases, sections and other portions of this ordinance shall remain in full force and effect, the provision of this ordinance hereby being declared to be fully severable.

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 November, 2021.

ATTEST:

ARLENE BLANCHARD, Clerk

JOY ABSHIRE, Chairman

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

- a. To condemn building or structure located at 204 Maple Street, in accordance with Article IX, Section 5-286 through 5-296.

Motion was made by Mrs. Hardy seconded by Mrs. Ellender that the above address be condemned.

Motion carried unanimously.

- b. To condemn building or structure located at 909 East Napoleon Street, in accordance with Article IX, Section 5-286 through 5-296.

Motion was then made by Mrs. Hardy seconded by Mr. Koonce that the above address be condemned.

Motion carried unanimously.

The next item on the agenda is a public hearing on ordinance granting the subdividing of lots into 2 conforming lots to Seed Investments, LLC, property located at 543 North Claiborne Street. Motion was made by Mrs. Ellender seconded by Mr. Koonce that the following ordinance be adopted to-wit:

ORDINANCE NO. 1748, M-C SERIES

ORDINANCE GRANTING THE SUBDIVIDING OF LOTS TO SEED INVESTMENTS, LLC, PROPERTY LOCATED AT 543 NORTH CLAIBORNE STREET.

WHEREAS, in accordance with Chapter 18, Section 2 (c) and Appendix B, Article III, Part I, Section 1, (6) (c) and (e) of the Code of Ordinances of the City of Sulphur, application has been received from Seed Investments, LLC, 543 North Claiborne Street, for property described as follows:

TRACT A

COMMENCING 30.00 WEST AND 688 FEET NORTH OF THE SOUTHWEST CORNER OF THE EAST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER (E/2-E/2-SE/4) OF SECTION 28, TOWNSHIP 9 SOUTH, RANGE 10 WEST, CALCASIEU PARISH, LOUISIANA; THENCE NORTH 01°46'42" EAST A DISTANCE OF 68.00 FEET TO THE POINT OF BEGINNING FOR TRACT A; THENCE NORTH 88°48'53" WEST A DISTANCE OF 150.14 FEET; THENCE NORTH 01°54'18" EAST A DISTANCE OF 68.00 FEET; THENCE SOUTH 88°49'24" EAST A DISTANCE OF 150.00 FEET; THENCE SOUTH 01°46'42" WEST A DISTANCE OF 68.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.23 ACRES, MORE OR LESS.

TRACT B

COMMENCING 30.00 WEST AND 688 FEET NORTH OF THE SOUTHEAST CORNER OF THE EAST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER (E/2-E/2-SE/4) OF SECTION 28, TOWNSHIP 9 SOUTH, RANGE 10 WEST, CALCASIEU PARISH, LOUISIANA; THENCE MEASURED NORTH 88°48'51" WEST A DISTANCE OF 150.29 FEET (CALL 150 FEET); THENCE NORTH 01°54'18" EAST A DISTANCE OF 68.00 FEET; THENCE SOUTH 88°48'53" EAST A DISTANCE OF 150.14 FEET; THENCE SOUTH 01°46'42" WEST A DISTANCE OF 68.00 FEET TO THE POINT OF COMMENCEMENT, CONTAINING 0.23 ACRES, MORE OR LESS.

WHEREAS, this subdividing of lots is accepted by the City of Sulphur and may be withdrawn by the City of Sulphur should said 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 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 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 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 grant the subdividing of lots to Seed Investments, LLC, 543 North Claiborne Street.

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 November, 2021.

ATTEST:

ARLENE BLANCHARD, Clerk

JOY ABSHIRE, Chairman

The next item on the agenda is a public hearing on ordinance granting an Exception to Lettie Jones, Debra Peco and Linda Peco, 1418 Cypress Street, to allow for a mobile home in a Business District. After much discussion, motion was made by Mr. Koonce seconded by Mrs. Ellender that the following stipulation be made:

- When both Linda Peco and Debra Peco fail to reside at the adjacent property, this Exception would lapse.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce

NAYS: Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

ABSENT: None

And the said stipulation failed on this 8th day of November, 2021.

ATTEST:

ARLENE BLANCHARD, Clerk

JOY ABSHIRE, Chairman

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

ORDINANCE GRANTING AN EXCEPTION TO LETTIE JONES, DEBRA PECO AND LINDA PECO, 1418 CYPRESS STREET, TO ALLOW FOR A MOBILE HOME IN A BUSINESS DISTRICT.

WHEREAS, application has been received from Lettie Jones, Debra Peco and Linda Peco, 1418 Cypress Street, to allow for a mobile home in a Business District

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby grant an Exception to Lettie Jones, Debra Peco and Linda Peco, 1418 Cypress Street, to allow for a mobile home in a Business District, in accordance with Article IV, Part 3, Section 4 (3) of the Land Use ordinance for the following property description:

COM 1338.7 FT E OF SW COR N/2 SW 35.9.10, E ON S LINE OF SAID LAND 208.7 FT, N 228.7 FT ETC, SUBJ TO PUB RD R/W OFF S/S AND LESS 0.09 ACS TO PARC#9-8 CYPRESS STREET

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

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

BE IT FURTHER ORDAINED by the City Council of the City of Sulphur Louisiana, that they do hereby grant an Exception to Lettie Jones, Debra Peco and Linda Peco, 1418 Cypress Street, to allow for a mobile home in a Business District.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy

NAYS: Mrs. Ellender, Mrs. Abshire, Mrs. Thomas

ABSENT: None

And the said ordinance failed on this 8th day of November, 2021.

ATTEST:

ARLENE BLANCHARD, Clerk

JOY ABSHIRE, Chairman

The next item on the agenda is an extension for temporary housing in recreational vehicles due to damage caused by Hurricane Laura for the following addresses:

- a. To extend temporary housing in a recreational vehicle at 713 Cass Street, in accordance with Ordinance No. 1693.
- b. To extend temporary housing in a recreational vehicle at 4805 Maplewood Drive, in accordance with Ordinance No. 1693.
- c. To extend temporary housing in a recreational vehicle at 102 Madison Street, in accordance with Ordinance No. 1693.
- d. To extend temporary housing in a recreational vehicle at 2405 Roxton Street, in accordance with Ordinance No. 1693.
- e. To extend temporary housing in a recreational vehicle at 309 Morgan Road, in accordance with Ordinance No. 1693.
- f. To extend temporary housing in a recreational vehicle at 145 Beauregard Avenue, in accordance with Ordinance No. 1693.
- g. To extend temporary housing in a recreational vehicle at 411 Bowie Street, in accordance with Ordinance No. 1693.
- h. To extend temporary housing in a recreational vehicle at 1714 Loretto Avenue, in accordance with Ordinance No. 1693.
- i. To extend temporary housing in a recreational vehicle at 1901 Olene Drive, in accordance with Ordinance No. 1693.
- j. To extend temporary housing in a recreational vehicle at 1316 East Burton Street, in accordance with Ordinance No. 1693.
- k. To extend temporary housing in a recreational vehicle at 851 McArthur Street, in accordance with Ordinance No. 1693.
- l. To extend temporary housing in a recreational vehicle at 825 North Claiborne Street, in accordance with Ordinance No. 1693.

Motion was made by Mrs. Ellender seconded by Mrs. Hardy that the above addresses be granted a 6-month extension.

Motion carried unanimously.

The next item on the agenda is a public hearing on ordinance authorizing Mayor Danahay to enter into an agreement with the most qualified applicant for FEMA Program Management, Project Development, Grant

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

ORDINANCE NO. 1749, M-C SERIES

ORDINANCE AUTHORIZING MAYOR DANAHAY TO ENTER INTO AN AGREEMENT WITH THE MOST QUALIFIED APPLICANT FOR FEMA PROGRAM MANAGEMENT, PROJECT DEVELOPMENT, GRANT ADMINISTRATION FOR HURRICANE LAURA.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Danahay to enter into an Agreement with **Rostan Solutions** for FEMA Program Management, Project Development, Grant Administration for Hurricane Laura.

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 November, 2021.

ATTEST:

ARLENE BLANCHARD, Clerk

JOY ABSHIRE, Chairman

The next item on the agenda is a public hearing on ordinance amending Chapter 24 of the Code of Ordinances of the City of Sulphur to provide for drainage ordinance. Motion was made by Mrs. Ellender seconded by Mrs. Hardy that the following amendment be made:

- Add “or as directed by the Director of Public Works or City Engineer” to Section 25-3 (b).

Motion carried unanimously.

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

ORDINANCE NO. 1750, M-C SERIES

ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SULPHUR,
LOUISIANA TO PROVIDE FOR CHAPTER 25 – DRAINAGE.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend the Code of Ordinances of the City of Sulphur to provide for Chapter 25 – Drainage to read as follows:

Sec. 25-1. - Development stormwater drainage principles:

- (a) General Drainage Requirements. These apply to all developments.
- (b) Stormwater Runoff Management, or Detention. This principle entails controlling post-development runoff flows to no greater than pre-development runoff flows.
- (c) Fill Mitigation, or Flood Plain Storage. This principle seeks to offset fill brought into the flood plain by removing an equivalent amount of fill, preventing stormwater from impacting homes and businesses.
- (d) Freeboard Elevation. This principle sets minimum construction height standards in order to protect structures from flooding.

The City consists of dense development and small residential parcels.

Sec. 25-2. - Definitions.

The following terms, when used in this article, shall have the following meanings, unless the context clearly indicates otherwise:

- (a) *Baseline Flood Elevation (BFE)*. A minimum construction elevation dictated by FEMA floodplain requirements.
- (b) *Commercial Development*. Commercial developments include business, retail establishments, multi-family (3 or more units on a single tract of land), and other mixed residential/commercial uses. Commercial developments do not include existing or new residential lots or subdivisions.
- (c) *Drainage Impact Analysis*. Shall refer to a submission made to the City to address all requirements in this Article related to drainage.
- (d) *Existing Commercial Development*. A commercial development in existence as of January 1, 2022. Existing Commercial Development shall also apply commercial developments that are annexed into the City and either a) were in existence as of January 1, 2022, or b) were approved by the Parish under their drainage ordinance.
- (e) *Expanded Commercial Development*. An expansion of impervious surface areas to an existing commercial development.
- (f) *New Commercial Development*. Commercial developments that are proposed or constructed after January 1, 2022.
- (g) *Fill Mitigation*. A requirement for properties within designated flood zones that ensures that applicable developments have a net zero impact on flood plain stormwater storage volume.
- (h) *Freeboard Elevation*. A construction elevation requirement for foundations as defined in Sec. 25-7.
- (i) *FEMA*. Federal Emergency Management Agency, responsible for development of BFE's.
- (j) *Impervious Surface Areas*. Are those constructed of concrete, asphalt, or other solid materials that prevent flow of stormwater to the ground surface. A grass or surface area that is covered with a roof, but that is open-sided, is not considered as impervious surface area.

- (k) *Large Commercial Developments*. Shall mean any new or expanded commercial that results in more than 40,000 square feet of total impervious surface area, or that is constructed on more than two (2) acres.
- Impervious areas shall include all improvements on the lot as well as any roadway, sidewalks, or other permanent improvements which will be constructed by the developer.
 - For purposes of determining total impervious surface area, all phases development shall be considered.
- (l) *Large Residential Subdivisions*. Shall mean any new or expanded residential development that results in more than 40,000 square feet of total impervious surface area.
- Impervious areas shall include all improvements on the lot as well as any roadway, sidewalks, or other permanent improvements which will be constructed by the developer.
 - For purposes of determining total impervious surface area, all phases development shall be considered.
 - For new residential subdivisions, unless alternative information is presented by the developer, it is assumed that each platted lot within the subdivision includes 2500 square feet of impervious surface to account for the house, driveway, porches, accessory structures, etc.
- (m) *Mitigation Bank*. A city account that tracks projects which increase stormwater storage volume in flood zones. These increases (credits) may be available to offset loss of volume due to use of fill material in developments.
- (n) *Residential Subdivisions*. Developments consisting of platted lots/parcels/plots designated for single-family residential dwellings consisting of no more than two (2) units per dwelling, i.e., a duplex.
- (o) *Existing Residential Subdivisions*. Existing platted lots in residential subdivisions approved as of January 1, 2022 and/or in established neighborhoods in the City. Existing Residential Subdivision also applies to subdivisions or platted lots that are annexed into the City and either a) were in existence as of January 1, 2022, or b) were approved by the Parish under their drainage ordinance.
- (p) *New Residential Subdivision*. A subdivision of property into two (2) or more residential lots/parcels/plots after January 1, 2022. A re-subdivision of lots/plats in existing residential subdivisions is a new subdivision.
- (q) *Rational Method*. Runoff hydrologic calculation method designed for small watersheds. This methodology is included in most hydrology textbooks and provides a peak runoff volume for a catchment area.
- (r) *Small Commercial Development*. Shall mean any new or expanded commercial development with less than 40,000 square feet of impervious surface area on less than two (2) acres of land.
- (s) *Small Residential Subdivision*. Any new or expanded residential development that results in less than 40,000 square feet of total impervious surface area.
- (t) *Stormwater Runoff Management*. Is a requirement for ensuring that, under defined conditions, post-development stormwater flow rates do not exceed pre-development stormwater flow rates.

Sec. 25-3 - Applicability.

The following table summarizes the application of drainage for each development type.

| Principle | RESIDENTIAL DEVELOPMENTS | | | COMMERCIAL DEVELOPMENTS | |
|----------------------|---------------------------|-------------------------------|-------------------------------|------------------------------|------------------------------|
| | Existing Residential Lots | Small Residential Subdivision | Large Residential Subdivision | Small Commercial Development | Large Commercial Development |
| | | <40,000 sq. ft. | >40,000 sq. ft. | <2 acres and <40,000 sq. ft. | >2 acres or >40,000 sq. ft. |
| General Requirements | X | X | X | X | X |
| Runoff Management | | | X | X | X |
| Fill Mitigation | | X | X | X | X |
| Freeboard Elevations | X | X | X | X | X |

- (a) Any expansion of an existing Large Development or any proposed development, which would cause the impervious surface area of an existing development to become a Large Development as defined in this rule, shall be subject to the provisions of this article for the impervious expansion.
- (b) Master drainage plans for planned communities are acceptable and are encouraged (or as directed by the Public Works Director or City Engineer). As subdivisions or other developments are added under the master plan, the developer shall demonstrate that the drainage plan is being implemented/followed.
- (c) Waivers from requirements outlined above in the table above are discussed in Sec. 25-8.

Sec. 25-4 - General Drainage Requirements

- (a) Floodways. New developments shall be designed to avoid impacting any existing floodways. Development in a floodway will require a no-rise certification, in accordance with FEMA guidelines, to be completed.
- (b) Stormwater flow from a development. Stormwater flow directions shall be indicated on plans submitted for approval. Stormwater shall be directed to drainage laterals or to the street drainage systems fronting the parcel or to detention facilities as required.
- (c) Building Permits for Large and Small Developments. Any proposed Large or Small Development shall be approved by the city Director of Public Works (or designated representative) for compliance

with the provisions of this article prior to the issuance of a building permit. In the event of noncompliance with the provisions of this article, a building permit shall not be issued.

(d) Costs Borne by Developer/Owner. All on-site drainage facilities shall be constructed, installed and maintained at the cost of the developer, owner, or property owners.

(e) Natural Stormwater Flow. When during construction, there is an obstruction or impediment of stormwater from or to the adjacent property, then a temporary drainage system shall be constructed to maintain adequate drainage. Such systems shall be permanent, if necessary, to prevent impedance of natural stormwater flow.

(f) Good Stormwater Management Practices. The following are examples of practices that may be utilized to control stormwater flows.

- a. Installation of gutters to control flows and direction of flows
- b. Installation of subsurface drainage to direct rear property flows to the front street collection system
- c. Pervious surfaces for outdoor deck or entertainment areas
- d. Swales to direct stormwater flows
- e. Control placement of flower beds and ancillary structures that can impede proper drainage from the development.
- f. Fill should not be placed any closer than five (5) feet to any property line without adequate collection and transportation of any runoff.

(g) Conflicts with DOTD Requirements. For developments requiring DOTD approval of drainage studies, the DOTD provisions shall supersede any conflicting provisions of this rule. This provision does not apply to more stringent requirements, such as 25-year storm event vs. 10-year storm event, specified in this rule. All submissions to DOTD shall be submitted concurrently to the City for review.

(h) Offsite Issues. If in the event that the Director of Public Works (or designated representative) determines that the on-site or the off-site drainage facilities are inadequate to accommodate the additional development runoff, approval of the development shall be withheld until plans and specifications meeting these requirements have been met. All on-site drainage improvements shall be in accordance with approved plans and specifications. All improvements necessary shall be made at the expense of the developer, unless the improvement is of benefit to the City. In this case, the City may consider an agreement to share the costs.

Sec. 25-5 – Stormwater Runoff Management

(a) General Requirements.

1. When required, a stormwater runoff management plan (drainage impact analysis) shall be submitted to the Director of Public Works (or designated representative) for approval.
2. All drainage infrastructure on- and off-site shall be designed in accordance with the Louisiana Department of Transportation and Development's Hydraulics Manual using the rational method. Peak runoff design shall be based on each of the following design storms: 10-year, and the 25-year design storm events. Detention ponds or systems designed as per the requirements of this section shall meet the storage requirements for a 25-year storm.
3. The twenty-five (25)-year storm event post-development rate of runoff shall not exceed the twenty-five (25)-year storm event predevelopment rate of runoff. To ensure that the post-development rate of runoff does not exceed the predevelopment rate of runoff, on-site detention methods will be required in a manner approved by the City Director of Public Works (or designated

representative). The detention system cannot release water from the site at a rate greater than the predevelopment rate of runoff.

4. A hydrological study/plan completed by a Louisiana licensed engineer must be submitted for all large new developments. The study/plan shall include but not be limited to the following specifications:

a. Plot or plats drawn to scale providing the following items, data, or information:

1. Topographic survey of the area to be developed based on the current National Geodetic Survey Vertical Datum;
2. Existing and proposed property lines;
3. Watershed map;
4. The contributing drainage areas involved/affected;
5. Grading plan;
6. Impervious versus non-impervious areas;
7. Rerouting of existing canals or natural drains proposed;
8. Sections and profiles of canals or swales to be constructed; and
9. Location, size, and type of drainage structures and pipe on- and off-site to the point of tie-in.

b. The flow rate of stormwater at each large development entry point that will result from a twenty-five (25)-year storm. This determination to be based on future land use of the upstream drainage areas, at no less than the current design character of development.

c. The flow rate of water at each exit point that will result from a twenty-five (25)-year storm. This determination to be based on future land use of the upstream drainage areas at no less than the current design character of development. This calculation will consider expected construction within the large development that will change the grades, direction of flow, runoff factors or other existing condition.

d. Maximum water elevation in the detention/retention facility for design storms.

e. Maintenance plan for detention/retention facility and system. Including responsible party for the maintenance. See Section (c) below for further guidance.

f. The drainage study/plan will consist of three distinct and designated parts as follows:

1. *Summary*: The effect of the proposed construction on upstream and downstream areas.
2. *Design criteria*: Description of methodology, data, and assumptions used.
3. *Calculations*: Clear, concise, step-by-step calculations performed to support the drainage system design.

g. An 8½ x 11-bound copy of the drainage plan shall be submitted with full-size plans.

h. An electric copy of the as-built AutoCAD drawings shall be submitted to the city Director of Public Works for those facilities to be accepted and maintained by the city in addition to a full-size set of plans.

(b) Detention Pond Design.

a. All detention ponds shall be designed for a full spectrum of frequencies. All facilities must also be checked for the 100-year frequency to assure adequate performance during major rain events. All facilities shall be designed with a 100-year frequency emergency spillway to control the location of overtopping of the facility.

b. All detention facilities shall be established offline and shall not be incorporated into an existing watercourse.

c. Detention basin side slopes shall be stabilized and shall be designed with side slopes required to prevent erosion. For wet detention basins, a minimum permanent pool depth necessary to prevent vegetative growth is required. Sewer effluent discharge shall not be routed through any wet detention basin. Dry detention basins shall include a low-flow drainage channel to control flow and direct it to the outlet structure.

- d. Pond outlet structures shall be designed to be as maintenance free as possible and protected from clogging. For this purpose, only open top weir outlets are desired. Weir outlet structures shall be designed and constructed with reinforced concrete. Cross sections, and plan details shall be required for approval. Weir outlets shall be designed to resist overturning, settlement, or failure. Alternate outlet structures may be approved by the Director of Public Works, if required by site-specific circumstances.
 - e. For all basins, the time to drain the facility and to re-establish full storage capacity from the peak of the storm event shall not be longer than thirty (30) hours.
 - f. If Detention ponds are located in the rear, a maintenance access shall be required.
 - g. When underground detention is utilized instead of surface detention, variances from these requirements are expected and should be proposed as part of the Runoff Management Plan.
 - h. Pond level under a 100-year frequency shall not exceed a one (1) - foot freeboard allocation for the lowest proposed permanent structure on the development.
- (c) All drainage improvements, except those allowed within the public right of way and accepted by the City for ownership and maintenance, shall be privately maintained in perpetuity as follows:
- a. For developments, typically single parcel, such as apartments, planned developments, or shopping centers, the developer shall provide a perpetual operations and maintenance plan (O&M Plan) for the proposed improvements. O&M Plan for said improvements shall be formalized through a development agreement and shall remain the responsibility of the developer in perpetuity. The development agreement may provide for the transfer of the O&M Plan responsibilities but shall require a formal revision to the original agreement and shall be approved by the Sulphur City Council.
 - b. For multi-parcel developments such as residential subdivisions, the perpetual operations and maintenance requirements may be transferred to an owner's association. The O&M plan requirements will become the responsibility of property owners served by the detention pond should the developer or the owner's association fail their obligation. If the City is required to implement the O&M plan, the costs will be assigned to the property owners on their annual tax bill. A note will be included on the subdivision plat outlining that property owners are ultimately responsible for O&M costs.
 - c. The City will hold on file all development agreements and may inspect drainage improvements for proper O&M as needed.

Sec. 25-6 – Fill Mitigation – (Flood Plain Storage).

- (a) Purpose. Fill Mitigation (Flood Plain Storage) is intended to ensure that developments do not cause or result in a barrier that will adversely affect the efficiency of, or restrict the flow or capacity of, a designated floodway or watercourse so as to cause foreseeable damage to others, wherever located. For example, should fill material be required, an equal quantity of fill material shall be removed from the construction site, or from another site within the same floodplain, to ensure no loss of flood plain storage volume.
- (b) Applicability.
 - 1. These requirements apply in designated flood ways or in flood zones A, AE, and VE. The Director of Public Works (or designated representative) may extend the requirements to other specific areas within the City when observed levels of inundation exceed those of FEMA's base flood elevations.
 - 2. These requirements do not apply to single-family residential construction in existing residential subdivisions in existence as of January 1, 2022 or that were in annexation as of January 1, 2022 and subsequently annexed into the City.

3. These requirements do not apply to new residential developments consisting of three (3) or less lots.
 4. The Director of Public Works shall reserve the right to waive requirements required of this section with concurrence by the City's engineer representative.
- (c) Submittal requirements for new Large Developments. (Information for fill mitigation shall be incorporated into the required site grading plan for review and approval.) NOTE: There are no submittal requirements where fill mitigation is not required.
1. Post development fill volume to be deposited below the designated 100-year flood elevation.
 2. Location of proposed fill credits to mitigate the fill volume below the delineated 100-year flood elevation with cross-sections.
 3. A fill mitigation plan shall be submitted by a Louisiana Licensed Engineer and is subject to review and approval or denial by the floodplain administrator, the Director of Public Works (or designated representative).
 4. The fill mitigation plan must be submitted concurrently with, or as part of, the Runoff Management Plan.
- (d) Examples of mitigation efforts to restore flood plain volume, where deposit of fill materials in flood zones is not possible:
1. Expansion of required detention basin
 2. Installation of swales on the development tract or offsite in the same watershed
- (e) Submittal requirements for large residential construction.
1. Post development fill volume to be deposited.
 - a. Volume of foundations
 - b. Fill to be depositing for site work
 2. A fill mitigation plan shall be submitted
 - a. Excavation of soils on-site
 - b. Excavation of soils within existing watershed
 - c. Use of City mitigation credits (if available)
- (f) Recommended residential building standards within Flood Plains A, AE, and VE:
1. To avoid fill mitigation requirements and potential impact fees,
 - a. Adherence to FEMA's design standards for open foundation design or standards contained within ASCE 24-05 construction techniques for open foundations (walls, piers, posts, columns, or pilings).
 - b. A fill volume of up to six inches is allowed, and the volume of the walls, piers, posts, columns, or piling volumes shall not be considered if the construction techniques in (e).
 1. a. above are followed.
- (g) Additional requirements.
1. For multi-phase large development projects, fill mitigation can occur either during phase 1 work or as each phase is completed.
 2. Where detention ponds are to be excavated, the volume of dirt removed below the normal pool water surface level of the required minimum pond size cannot be credited as compensating fill mitigation volume.
 3. If the compensating storage for fill mitigation is derived from an off-site source that is not part of the development, the storage must be in the same watershed as the development.
- (h) City Mitigation Bank. The City may develop a "bank" for use in offsetting fill mitigation requirements. The use of the bank credits will be regulated by the following provisions.
1. Credits will be assigned to the applicable watershed.
 2. Each credit will equal one cubic yard.
 - a. Credits will be for sale. The price per credit will be based on market conditions and will be maintained by the Director of Public Works (or designated representative).

Sec. 25-7. – Freeboard Elevations

The following minimum foundation elevation requirements are established to provide protection from flooding events in the City.

- (a) All residential or commercial construction on existing or development tracts, and any substantial improvements related to the same, shall have the minimum lowest floor elevation be one (1) foot above the highest of the following four (4) measurements:
 1. BFE as determined by the latest Calcasieu Parish Flood Insurance Study (FIS) issued by FEMA [Additional Note: for sites with a BFE of nine (9) feet or less, the minimum value for this calculation shall be ten (10) feet];
 2. Center line of the nearest street across from or adjacent to the structure;
 3. Top of the nearest upstream or downstream sanitary sewer manhole where a community or municipal system is provided, or
 4. Highest recorded historical or modeled (100-year) inundation levels, if known.
- (b) All mechanical equipment must also comply with the above minimum lowest floor elevation requirements.
- (c) All lift stations lid elevations shall comply with the above minimum lowest floor elevation requirements.

Sec. 25-8. - Waivers.

Applications for waivers from the provisions of this article are governed as follows:

- (a) General waiver requests shall be submitted, in writing, to the Director of Public Works and should demonstrate the following:
 1. Good and sufficient cause has been shown for the granting of a waiver;
 2. Failure to grant the waiver would result in exceptional hardship to the applicants;
 3. The granting of a waiver will not result in increased flooding or increase inadequacy of off-site drainage facilities; will not pose an additional threat to public safety or extraordinary public expense; and will not create a nuisance, contribute to a flood or to victimization of the public, or conflict with local laws and ordinances;
 4. The variance to be granted is the minimum necessary to accommodate surface runoff and avoid exceptional hardship to the applicant.
 5. Applications for waivers from the provisions of this article may be made by aggrieved parties and shall be heard by the City Council. Other parties may be consulted as necessary.
- (b) Runoff Management requirements of Sec. X - Waivers. New commercial or residential developments shall be granted a waiver from the drainage study requirements by the Director of Public Works (or designated representative) when one of the following conditions below is met:
 1. Will not include more than twenty (20) percent impervious area that results in direct drainage runoff.
 2. If a waiver is granted for a commercial development, then a drainage fee equal to \$0.15 per impervious square foot shall be assessed.
- (c) Fill Mitigation Requirements of Sec. X - Waivers.
 1. The Director of Public Works (or designated representative) shall issue a waiver for either partial or full-fill mitigation requirements based on one of the following:
 - a. Minimal fill utilized for filling of depressions or re-grading the site to promote positive drainage shall not be required to be measured for fill mitigation purposes if it does not exceed 6-inches above the prevailing natural ground;
 - b. Ten (10) percent of total calculated fill volume calculated in preparation of the overall fill mitigation plans may be exempted from the total required mitigation volume to account for variations in ground conditions.

- c. On a case-by-case basis, due to a developer's inability to generate fill credits, a waiver may be issued for fill mitigation requirements based on the developer providing adequate information that credits are not obtainable and/or alternate design construction techniques cannot be utilized.
 2. If a waiver is granted per 1.c., then a drainage fee equal to \$1 per cubic yard of fill shall be assessed.
- (d) Freeboard Elevations requirements in Sec. X - Waivers.
1. Should the freeboard calculation requirement result in an unreasonable elevation, a waiver may be requested of the Director of Public Works (or designated representative).
 2. No drainage fee will be assessed for this waiver.
- (e) Drainage Waiver Fees. All proceeds collected will be assigned to expand the City Mitigation Bank.

Sec. 25-9. - Appeals

Appeals from the decision of the City as to compliance with this article may be made by any aggrieved person to the City Council, where it is alleged that there is an error in any order, decision or determination made by the City in interpreting, applying or carrying out the provisions of this article. The request for an appeal shall be made to the Clerk of the Council, in writing, within ten days of the order or decision. The notice of appeal shall specify the grounds thereof. The decision of the Land Use Commission shall not have the effect of altering or varying the literal provisions or requirements of this article and decisions concerning the adequacy of on-or off-site drainage facilities shall be supported by adequate technical data.

Sec. 25-10. – Supplemental requirements.

The requirements of this article shall be supplemented to other ordinances of the City of Sulphur covering the same or similar subject matters.

Sec-25-11 - Review by Drainage Districts and Easement Requirements.

All new developments adjacent to a named drainage lateral shall be reviewed by a representative of the Calcasieu Parish Drainage District. The city Director of Public Works shall consider provisions that may be requested by the drainage district to allow both maintenance and access. The City shall not be responsible for the cost of acquisition of needed easements.

BE IT ALSO FURTHER ORDAINED that this Ordinance shall become effective January 1, 2022.
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 November, 2021.

ATTEST:

ARLENE BLANCHARD, Clerk

JOY ABSHIRE, Chairman

The next item on the agenda is a public hearing on ordinance amending Chapter 18 of the Code of Ordinances of the City of Sulphur to provide for minor subdivision requirements. Motion was made by Mr. Koonce seconded by Mrs. Thomas that the following amendment be made:

Under 18-4 Definitions.....

Minor Subdivision shall mean the division of a lot, tract, or parcel of land, which does not exceed one (1) acre prior to its division, into ~~five (5)~~ three (3) or less lots, plots, sites or other division of land for the purpose, whether immediate or future, of sale or of building development and does not require the construction of any public or private infrastructure, and in which all lots conform with the City's Zoning Ordinance.

Under Procedures for Minor subdivisions.....

- (c) *Approval of final plat.* The Director of Public Works shall check the final plat for conformity with City Zoning Ordinances. If approved in writing by the Council person(s) for the City Council District(s) where the property is situated, the Public Works Director (or their designee) and the Mayor shall have the authority to approve all minor subdivisions if the minor subdivision conforms with all City of Sulphur Zoning Requirements and Ordinances.

Motion carried unanimously.

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

ORDINANCE NO. 1751, M-C SERIES

ORDINANCE AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR TO PROVIDE FOR MINOR SUBDIVISION REQUIREMENTS.

Sec. 18-1. - Authority and purpose.

- (a) In accordance with the provisions of Act 300 of the Laws of the State for the Year 1946, and particularly Section 12 thereof (R.S. 33:112), and in order to promote the health, safety, convenience, morals, and general welfare of the community, to provide for the proper arrangement and width of streets in relation to other existing or planned streets and to the master plan, and to provide for adequate and convenient open spaces for traffic, vehicular parking, utilities, access of fire-fighting apparatus, recreation, light and air for the avoidance of congestion of population, the following regulations are adopted by the city council.
- (b) The city's department of public works shall be authorized to develop standard construction details and material specifications establishing minimal standards applying to construction of subdivisions. These standards shall be periodically reviewed and updated by the department of public works and adopted by the city council.
- (c) These regulations are intended to supplement other regulations applicable to the construction of subdivisions and therefore are not all inclusive. The developer must adhere to all other applicable regulatory requirements. These requirements include but are not limited to those affecting the public health, safety and welfare and the protection of the environment.

Sec. 18-2. - Applicability.

- (a) Subject to the exceptions hereinafter provided, any sale or contract of sale or agreement to purchase any lot or division of land either by lot description or by metes and bounds shall constitute a subdivision of land and require, prior to any sale or contract of sale or agreement to purchase and before the delivery of a deed, the submission of a plat to the council as required by law.
- (b) The applicable provisions of this ordinance shall apply to any "regulated development" as defined in the city's Zoning Ordinance.
- (c) These regulations shall not apply to:
 - (1) Land in subdivisions previously legally recorded, except in the case of resubdivision;
 - (2) Subdivisions in which a building exists on each proposed lot, provided that the owner certifies on the plat that all such existing buildings were constructed prior to December, 1983, and provided that such plat is submitted to the council for signature by the secretary prior to filing with the clerk of court;
 - (3) The subdivision of land to be used for orchards, forestry, or the raising of crops, provided that the owner certifies upon the plat that such land is to be used only for orchards, forestry, or the raising of crops;
 - (4) Small parcels of land sold to or exchanged between adjoining property owners, where the sale or exchange does not create additional lots provided that the secretary of the council certifies upon the plat that the sale or exchange does not create additional lots;
 - (5) Partition of land between or among co-owners unless such partition results in the division into two (2) or more lots, any of which is less than three (3) acres in area.

Sec. 18-3. - Conference with council.

It is suggested that each subdivider of land confer with the council, or its staff, before preparing the tentative geometric layout, in order to become thoroughly familiar with subdivision requirements and with the proposals of the official master plan affecting the territory in which the proposed subdivision lies.

Sec. 18-4. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alley shall mean a dedicated right-of-way not less than twenty (20) feet in width to provide access to the back or side of properties whose principal frontage is on a street.

Applicant shall mean the owner, or authorized representative of the owner, of any land proposed to be subdivided or developed subject to the provisions of these regulations.

Arterial streets shall be those streets intended to move traffic from one (1) urban area to another, typically with trips in excess of one (1) mile. Arterial streets may be specifically identified in the city's Zoning Ordinance. Direct access to adjacent properties may be limited.

City standards refers to subdivision standards for urban areas in incorporated city limits which are served by or capable of being served by present central sewerage systems and present central water supply systems.

City shall be understood to mean Sulphur, Louisiana.

Collector streets shall be those streets intended to move traffic from local streets to arterial streets or highways. These streets are intended to carry traffic from one (1) urban area to another as well as provide access to adjacent land. Collector streets may be specifically identified in the city's Zoning Ordinance.

Developer shall be understood to be the applicant.

Development shall mean the use of land including change or enlargement of any use or disturbance of any land and the performance of any building or mining operation.

Duplex shall mean two (2) single-family residential dwelling units attached to form one (1) single unit. The unit shares a common wall.

Expressway shall mean a street shown on a major street plan adopted by the council, or any revision thereof, which street has an existing or proposed right-of-way width of one hundred twenty (120) feet or more.

Local streets shall be those streets intended to provide access to other streets from individual properties and to provide right-of-way for public utilities and drainage facilities. Local streets may be specifically identified in the city's Zoning Ordinance.

Lot shall mean a portion of a subdivision or other parcel of land, intended as a single building site or unit for transfer of ownership or for development, including the development of one (1) ownership with two (2) or more buildings for separate occupancy.

Major street shall mean a street which serves or is intended to serve as a major traffic way and is shown on a major street plan and adopted by the commission or a revision thereof.

Minor Subdivision shall mean the division of a lot, tract, or parcel of land, which does not exceed one (1) acre prior to its division, into three (3) or less lots, plots, sites or other division of land for the purpose, whether immediate or future, of sale or of building development and does not require the construction of any public or private infrastructure, and in which all lots conform with the City's Zoning Ordinance.

Major Subdivision shall mean:

- (1) The division of a lot, tract, or parcel of land into four (4) or more lots, plots, sites, or other division of land for the purpose, whether immediate or future, of sale or of building development;
- (2) The dedication of a road, highway, street, alley, or servitude through a tract of land regardless of area;

Neighborhood unit development shall mean a self-contained subdivision or a group of subdivisions designed to accommodate four hundred (400) or more families and requiring a separate elementary school.

Parkway shall mean a route intended to be used primarily by passenger vehicles which may have a varying width of right-of-way and which right-of-way is, or is intended to be developed with a park-like character.

Paved shall be understood as being a wearing course for a street, alley, walkway, bike path, or other transportation route constructed of asphaltic concrete pavement or portland cement concrete pavement, to applicable city construction standards.

Right-of-way shall mean a strip of ground dedicated by the subdivider for public use, title to which shall rest in the public for the purposes stated in the dedication.

Regulated development shall mean a proposed development, other than a subdivision as defined in this chapter, which the Zoning Ordinance requires to comply with the standards and requirements of this chapter.

Rural area shall mean the areas within the city limits between the thickly urbanized central areas and the city limit boundaries; commonly referred to as suburban areas.

Servitude or easement shall mean a strip dedicated by the subdivider for public utilities, drainage and other public purposes, the title to which shall be in the public.

Street shall mean a right-of-way dedicated to public use which provides principal vehicular and pedestrian access to adjacent properties.

Subdivider shall be understood to be the applicant.

Townhouse shall mean two (2) or more attached living units attached to form a single unit. Units share common walls.

Triplex shall mean three (3) single-family residential dwelling units attached to form one (1) single unit. The unit shares a common wall.

Utility space allocation shall refer to a diagram indicating physical locations inside a public right of way or easement for the installation of various public utilities.

Sec. 18-5. - Standards for lot development.

- (a) Lot dimensions shall:
 - (1) Comply with the minimum requirements of the Zoning Ordinance;
 - (2) Be sufficient to allow for yard or setback requirements on any and all sides;
 - (3) Provide for off-street parking and loading for the intended use of the lot as required by the Zoning Ordinance.
- (b) Reserved.
- (c) All side lines of lots shall be at right angles to straight street lines, or radial to curved street lines, unless a variation to this rule will give a better street and lot plan.

- (d) Corner lots shall have extra width to permit the establishment of front building setback lines, on both the front and the side of the lots adjoining the streets, irrespective of whether the rear lot lines of the corner lots abut lots fronting on the side streets. This extra width shall allow for the established setback in a neighborhood or zoning regulations setbacks, whichever is more restrictive.
- (e) Lots on major street intersections and at all acute angle intersections which, in the opinion of the council, are likely to be dangerous to the traffic movement shall have a radius of twenty (20) feet at the street corner, where grade separate structures are proposed at the intersection of major streets, the lots and improvements in the subdivision shall be arranged so as to make adequate provision for the structures.
- (f) Double or reversed frontage lots are to be avoided. Their use is restricted to providing separation of residential development from arterial streets or to overcome other specific disadvantages of lot orientation.
- (g) Lot arrangement shall allow for driveway access to streets in conformity with applicable regulations.
- (h) Residential lots shall not generally derive access from an arterial street. Where such access is necessary for commercial, industrial or multi-family residential uses, the number of access points shall be minimized to limit traffic hazards. Driveways providing access from arterial streets shall be arranged to avoid the need for vehicles to back into the street to exit.
- (i) Grading of lots shall be sufficient to:
 - (1) Provide drainage away from all adjacent structures
 - (2) Avoid concentration of storm water on any lot
 - (3) Provide for access of surface water runoff to a drainage outfall without the reliance on surface drainage across adjacent lots without the provision of dedicated drainage easements
- (j) No construction debris or other waste material shall be buried on site or left deposited on any lot or other surfaces of the development.
- (k) Fences shall be installed by the developer to provide protection from adjacent hazardous locations, if determined to be present.
- (l) The development's deed restrictions or covenants shall prevent the diversion of surface water runoff from the manner indicated in the approved plan.

Sec. 18-6. - Blocks.

- (a) No blocks shall be longer than one thousand five hundred (1,500) feet between street lines. For blocks over seven hundred fifty (750) feet in length the city council may require a paved crosswalk near the center of the block with a minimum right-of-way width of ten (10) feet where the nearest portion of the block is within one thousand five hundred (1,500) feet of the existing school, or playgrounds.
- (b) Where it is desired to subdivide a tract of land which because of its size or location does not permit an alignment directly related to a normal street arrangement there may be established one (1) or more places. Such a place may be in the form of a court, a street with a cul-de-sac or other arrangement; provided, however, that proper access shall be given to all lots from a dedicated street or court. A turning circle shall be required at the end of dead-end streets which provide access to subdivided lots. Dead-end streets which are intended as a permanent feature shall not exceed six hundred (600) feet from the intersection to the center of the turning circle. Temporary dead-end streets (those proposed to connect with future streets indicated on approved plats but not yet constructed) shall not exceed one thousand two hundred (1,200) feet from the intersection to the end of the street. The end of the street and the subdivision boundary or platted phase boundary shall be identical points.

Sec. 18-7. - Street and alley rights-of-way.

- (a) Major street and major parish road rights-of-way shall conform to the widths designated on the major street plan as adopted by the council and on all subsequent amendments and additions thereto.
- (b) Minimum rights-of-way are as follows:
 - (1) *Alleys*: Twenty (20) feet
 - (2) *Local streets*: Fifty (50) feet
 - (3) *Collector streets*: Sixty (60) feet
 - (4) *Arterial streets*: Seventy-five (75) feet
- (c) Turning circles at the end of dead-end streets shall be open, paved spaces, preferable circular, equivalent to a circle having a right-of-way radius of sixty-eight (68) feet, with a minimum inside turning radius of thirty-five (35) feet.
- (d) Alleys shall be provided at the rear of all commercial and industrial lots, except that the council may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading, and parking consistent with and adequate for the uses proposed.
- (e) Alleys at the rear of residential lots are not recommended except under unusual conditions.
- (f) Alley intersections and sharp changes in alignment shall be avoided but where necessary, corners shall be cut off sufficiently to permit safe vehicular movement (minimum five (5) feet).
- (g) Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turnaround facilities at the dead end, as determined by the council.

Sec. 18-8. - Off-street parking and loading spaces.

Off-street parking and loading space shall be indicated on the plat for every lot or group of lots proposed or developed for business or commercial usage to provide a minimum of parking space for each lot and otherwise as called for in the land use ordinance. Off-street parking and loading space shall be provided outside of street rights-of-way on private property, and shall be reserved by private subdivision restrictions shown on the plat.

Sec. 18-9. - Servitudes or easements.

Where alleys are not provided, a servitude or easement shall be provided as directed by the council according to the utility company needs in a particular area.

Sec. 18-10. - Location of utilities.

All utility poles for electric power, telephone and other purposes and pipelines for water and gas shall be located in the servitude, with adequate additional servitudes for the location of guy wires and braces, unless it is certified by the utility companies concerned that the location is impractical, or unless this placement is not feasible in the opinion of the council.

A utility space allocation drawing shall be submitted for city approval. The Drawing shall indicate the proposed relative location of all utilities within or adjacent to the street or alley right-of-way. Drawing shall indicate both a sectional and plan view of the utilities and adjacent improvements (streets, walks, etc.). Developer shall confer with and accommodate the city as to the preferred location for the utilities to be

dedicated to the city for operation and maintenance. All utilities to be accepted by the city for operation and maintenance must be directly adjacent to and accessible from a dedicated, paved, public street or alley.

Sec. 18-11. - Location of new streets in relation to existing and proposed streets.

The arrangement of streets in new subdivisions shall make provision for the continuation of the principal existing streets in adjoining areas (or their proper projection where adjoining land is not subdivided) insofar as they may be deemed necessary by the council for public requirement. The street and alley arrangement must also be such as to cause no hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it. In general, provisions should be made for through streets at intervals of approximately one-half (½) mile or less and offset traffic streets at intervals of approximately one-half (½) mile or less and offset traffic streets avoided. In cases where the subdivision includes or adjoins an existing major and secondary street of width less than the minimum widths established herein, the council may require the dedication of additional right-of-way width.

Where a development is adjacent to an existing arterial route, direct access to residential lots within the subdivision and adjacent to the arterial route should not rely on the arterial route. A parallel local or collector street or alley should be provided within the development for access to those lots.

Deed restrictions or covenants shall be included to provide measures preventing driveway or other access routes from connecting to arterial streets.

Street intersections shall conform with the following:

- (1) Angles of intersection shall approximate ninety (90) degrees. New streets shall not intersect at an angle of less than seventy-five (75) degrees.
- (2) Wherever practicable, proposed new intersections along an existing street shall coincide with any existing intersection (street, alley or major commercial/industrial driveway) on the opposite side of the existing street. Centerline offsets of new streets shall not be less than one hundred fifty (150) feet, except when the opposite approach is separated by a continuous raised median on the intersected street.
- (3) A street or alley intersection shall not be within one hundred fifty (150) feet of an at-grade intersection with a railroad.

Sec. 18-12. - Street names.

Two (2) suitable street name signs as provided by the city council shall be placed at all street intersections, at locations to be designated by the engineering department. The proposed street names shall be checked against duplication of street names and approved by the council, with final approval by city council.

Sec. 18-13. - Building lines.

Refer to Article IV, Part 3—District Regulations, of the Land Use Ordinance of the City of Sulphur.

Sec. 18-14. - Character of development.

The subdivider shall confer with the council regarding the type and character of development that will be permitted in the subdivision and may agree with the council as to certain minimum restrictions to be placed upon the property to prevent the construction of substandard buildings, and to control the type of structures, or

the use of the lots which, unless so controlled, would clearly depreciate the character and value of the proposed subdivision and of adjoining property. Deed restrictions or covenants shall be included to provide for the proper protection and maintenance of the development in the future; provided, however, that the deed restrictions or covenants shall not contain reversionary clauses wherein any lot shall return to the subdivider because of a violation thereon of the terms of the restrictions or covenants. A copy of the restrictions shall accompany the plat for final approval.

Sec. 18-15. - Parks, playgrounds, school sites, etc.

In subdividing property, consideration shall be given by the developer to the dedication or reservation of suitable sites for schools, parks, playgrounds, and other areas for public use so as to conform to the recommendations of the council in its adopted master plan for the city. Areas to be dedicated or reserved for schools, parks, and playgrounds should be indicated on the preliminary plan in order that it may be determined when and in what manner such areas will be dedicated to, or acquired by the appropriate taxing agency. In general, whenever the proposed subdivision contains twenty (20) acres or includes more than one hundred (100) lots, consideration shall be given to the reservation of dedication of a suitable area for school and recreation purposes.

Sec. 18-16. - Street and sidewalk improvement standards.

Final authority and approval of all street improvement standards and specifications shall belong to the city engineer based on the following generally accepted criteria set forth here to facilitate preliminary subdivision design.

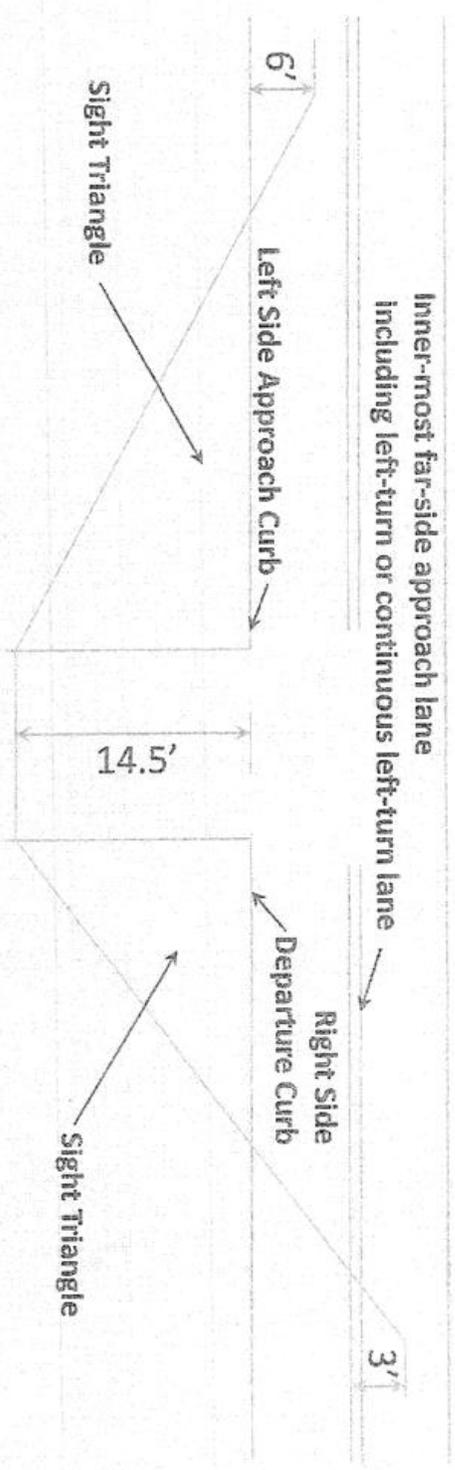
All streets, alleys and sidewalks shall be paved. Wearing course shall be asphaltic concrete pavement or portland cement concrete pavement. Structural pavement sections shall be based on a geotechnical investigation of subsurface conditions and an engineering report recommendation. Pavement design shall be based on a twenty-year functional life. Pavement sections identified below are minimum requirements and do not address construction traffic during development nor site specific subsurface or traffic conditions. All sections shall be curb and gutter (portland cement concrete) with subsurface drainage.

- (1) All local streets shall be a minimum of twenty-five (25) feet in width, measured from back of curb to back of curb. Minimum structural section shall not be less than two (2) inches of asphaltic concrete pavement wearing course supported on six (6) inches of base course and prepared subgrade or six (6) inches of portland cement concrete pavement wearing course supported on a prepared subgrade.
- (2) All collector streets shall be a minimum of twenty-six (26) feet in width, measured from back of curb to back of curb. Minimum structural section shall not be less than two (2) inches of asphaltic concrete pavement wearing course supported on eight (8) inches of base course and prepared subgrade or six (6) inches of portland cement concrete pavement wearing course supported on eight (8) inches of a prepared subgrade.
- (3) All alleys shall be a minimum of fourteen (14) feet in width, measured from back of curb to back of curb. Minimum structural section shall not be less than one and one-half (1½) inches of asphaltic concrete pavement wearing course supported on six (6) inches of base course and prepared subgrade or six (6) inches of portland cement concrete pavement wearing course supported on a prepared subgrade.
- (4) Commercial and industrial subdivision. In those subdivisions, portions of subdivisions or groups of lots where no lots will be sold or used for residential purposes, and all such lots are declared by appropriate instrument to be used for commercial or industrial purposes only, as spelled out in the

zoning regulations, all streets shall be a width of twenty-eight (28) feet, measured from back of curb to back of curb. Minimum structural section shall be constructed with an eight-inch portland cement concrete pavement supported on a six-inch base course and prepared subgrade, unless it is determined by the city engineer and planning commission, based on the developer's engineering report, that the nature of the anticipated traffic load and of the subsurface conditions warrants a variance from this standard.

- (5) Reserved.
- (6) Boulevard-type streets. Where the street is of the boulevard type, that is, two (2) lanes of traffic separated by a neutral ground, the paving on each traffic lane shall be not less than eighteen (18) feet in width, measured from back of curb to back of curb.
- (7) Authority of commission to require higher street standards. Where an existing or proposed major street is located in or adjacent to the suburban area, the council reserves the right to require higher street standards and specifications so as to have the street of such construction as will adequately carry the traffic which can reasonably be anticipated to use such existing or proposed major street. The subdivider shall dedicate the area as is required by the council for the proposed major street, however, should the construction requirements be higher than those set forth herein, the addition cost of such construction shall be borne by the city, if immediate construction to major street standards is required. Profiles of all streets and ditches shall be submitted with construction plans.
- (8) Sidewalks. Sidewalks may be required along officially designated major streets and along all other streets where deemed essential for the public safety by the council. Such sidewalks shall be constructed in accordance with the standards and specifications of the city street department. Sidewalks shall be a minimum width of four (4) feet.
- (9) Minimum specifications shall include the following:
 - a. Minimum horizontal curvature shall be:
 1. Fifty (50) feet for local streets. (Eighty (80) feet preferred as typical minimums)
 2. One hundred (100) feet for collector streets. (Three hundred twenty-five (325) feet preferred as typical minimums)
 3. The latest design standard for urban arterial streets as published by the Louisiana Department of Transportation and Development for Arterial Streets.
 4. Forty (40) feet for alleys.
 - b. Minimum profile grades shall be:
 1. 0.35% for local streets.
 2. 0.4% for collector streets.

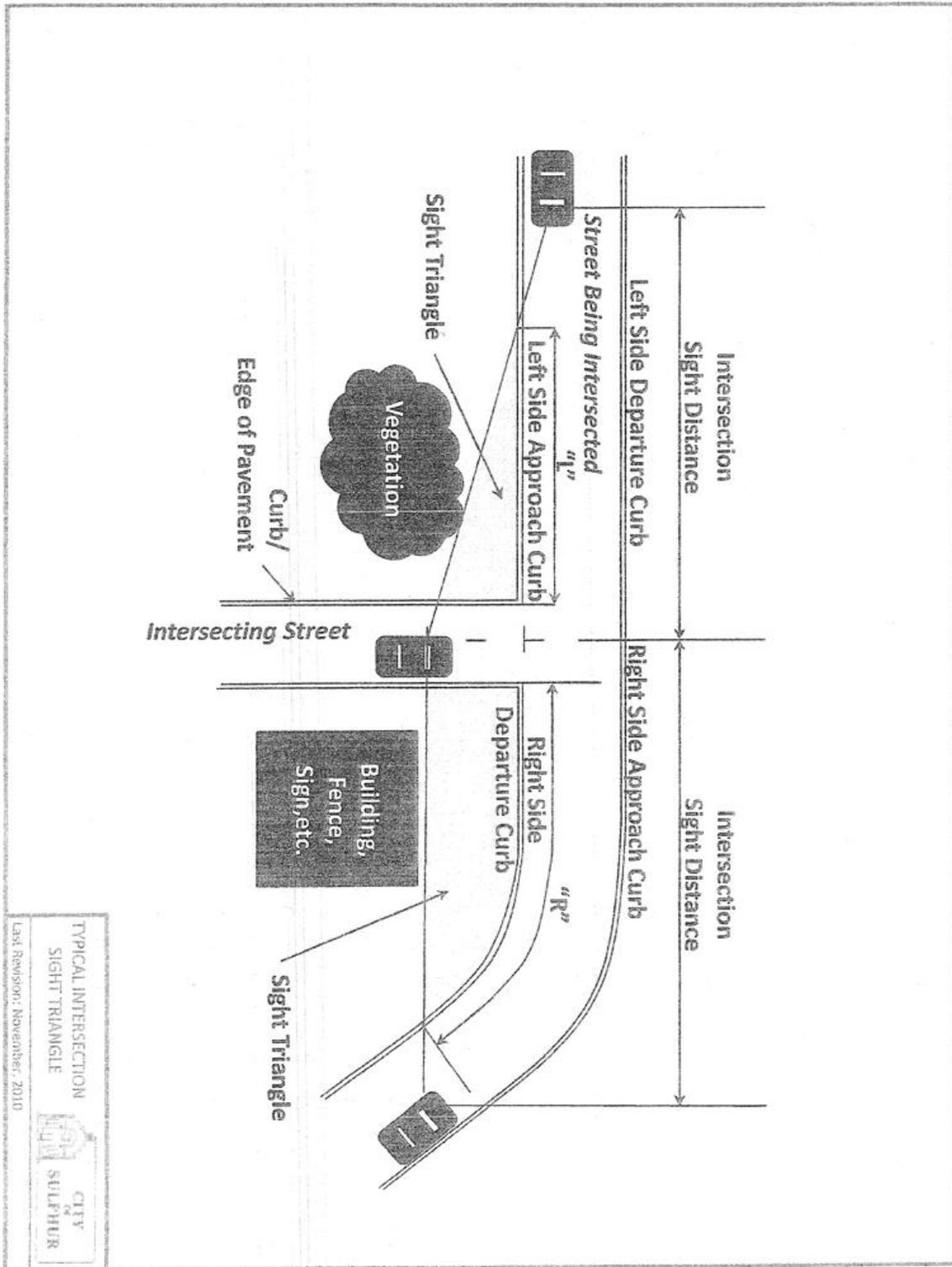
3. 0.4% for arterial streets.
 4. 0.3% for alleys.
- c. Minimum curb radii at intersections shall be:
1. Twenty (20) feet for local streets.
 2. Thirty (30) feet for collector streets.
 3. As required for turning movement for high truck volume intersections.
- (10) A lighting plan shall be submitted by the developer indicating the layout for street illumination fixtures.
- (11) All preliminary plans and final plats to show right-of-way dedication for corner clips as described in article IV, part 2, subsection 2(2) and intersection sight triangles as described in section 21-5. Note: Sight triangles are to be shown on all preliminary plans and final plats similar to a building setback line but do not require additional right-of-way dedication or easement.



Obstruction of vision so as to constitute a traffic hazard is defined to be the permitting or maintenance of any item mentioned in section 21-5 or similar thereto which exceeds the height of thirty (30) inches from street level and which is located so as to obstruct, obscure, or reduce intersection sight distance. Intersection sight distance is provided by a Sight Triangle, defined as, a three-sided area formed by 14.5 feet of the intersecting street curbs and a straight line joining said street curb lines at points defined by the roadway leg distances set forth on the table aside, unless specified otherwise herein. The Public Works Department maintains this diagram that illustrates the Sight Triangle. The American Association of State Highway and Transportation Officials (AASHTO) Policy on Geometric Design of Highways and Streets, or latest revision thereof determines this length of the required intersection sight distance.

| Posted Speed Limit | Roadway Leg Distance Along Street Being Intersected Curb Line Number of Travel Lanes on the Left-Side Approach (Including Right-Side Medians) | | | | | | | | | | | |
|--------------------|---|------|---|------|---|------|---|------|---|------|--|------|
| | 1 Ln Street being intersected width 35 ft. and less | | 2 Ln Street being intersected width 36 to 40 ft. | | 3 Ln Street being intersected width 41 to 52 ft. | | 4 Ln Street being intersected width 43 to 60 ft. | | 5 Ln Street being intersected width 61 to 72 ft. | | 6+ Ln Street being intersected width 72 ft. and greater | |
| | L | R | L | R | L | R | L | R | L | R | L | R |
| 25 mph | 220' | 141' | 235' | 94' | 251' | 70' | 255' | 54' | 231' | 44' | 286' | 36' |
| 30 mph | 266' | 172' | 284' | 115' | 303' | 85' | 321' | 67' | 339' | 55' | 358' | 46' |
| 35 mph | 312' | 202' | 333' | 136' | 355' | 102' | 375' | 80' | 397' | 66' | 419' | 55' |
| 40 mph | 358' | 232' | 382' | 157' | 407' | 117' | 431' | 93' | 459' | 76' | 480' | 64' |
| 45 mph | 404' | 263' | 431' | 178' | 459' | 133' | 487' | 106' | 514' | 87' | 541' | 73' |
| 50 mph | 450' | 293' | 480' | 199' | 511' | 149' | 541' | 119' | 572' | 97' | 603' | 83' |
| 55 mph | 496' | 324' | 529' | 219' | 563' | 165' | 566' | 131' | 630' | 108' | 664' | 92' |
| 60 mph | 542' | 354' | 578' | 240' | 615' | 181' | 652' | 144' | 688' | 119' | 725' | 101' |
| 65 mph | 587' | 384' | 627' | 261' | 667' | 197' | 707' | 157' | 746' | 130' | 786' | 110' |
| 70 mph | 633' | 414' | 676' | 282' | 719' | 213' | 762' | 169' | 805' | 140' | 848' | 120' |

Note: For 90 degree intersections with less than 3% grades only. Every 10 to 12 ft. of median or improved shoulder is equivalent to one travel lane. Lane(L)/R(Right side street being intersected departure curb); Distances presented as "L" may be substituted for "R" distances along one-way streets where traffic approaches the intersecting street from the right. Street widths are measured from the edge of pavement or face of curb.



Sec. 18-17. - Sewerage and water supply.

The installation of all sewer connections, subdivision sewer systems, sewage disposal systems and devices shall be constructed under the supervision of and approved by the city sewerage department, and the connections, systems and devices shall meet the requirements of the state health and human resources administration.

Sec. 18-18. - Sanitary sewer—Accessible.

- (a) When a subdivision is located in an existing sewer district where a public sewer is accessible, the subdivider shall connect with such sanitary sewer and provide adequate sewer lines to the property line of each lot.
- (b) When a subdivision is partially located within the existing city limits where a public sanitary sewer is accessible, the regulations of subsection (a) shall govern.

Sec. 18-19. - Same—Not accessible.

Where no public sanitary sewers are accessible the developer shall construct the necessary transport system to connect to the nearest public sanitary sewerage system. Said system may include pump station(s) and pressure mains or gravity transport mains. Should the public system be any other than the City of Sulphur's System, the developer shall present to the city signed agreements indicating the public system will accept the connection and transport the waste water to a permitted treatment facility.

Sec. 18-20. - Wastewater collection and transport systems.

Wastewater collection, transport, pumping and treatment systems shall conform to all specifications and requirements of the City of Sulphur. All wastewater plans must be reviewed and approved by the office of public health (OPH). Minimum standards, in addition to those required by the OPH include:

- (a) Minimum service line for single residential connection is six (6) inches in diameter.
- (b) No dual or common service shall be allowed.
- (c) Minimum service line serving commercial or industrial users is six (6) inches in diameter.
- (d) At least forty-two (42) inches of cover shall be provided over sanitary sewerage collection mains.
- (e) There shall be no physical connection between a potable water system and the sewerage system. Parallel water and sewerage mains shall be separated horizontally by at least ten (10) feet.
- (f) Water mains shall cross over sewerage mains by at least two (2) feet or the sewer main shall be constructed of ductile iron pipe encased in concrete for twenty (20) feet, centered on the crossing.
- (g) All gravity mains and pressure mains shall be tested for leakage and be within specified tolerances. All flexible pipe gravity mains shall be tested for roundness (deflection) and found to be within specified tolerances (Five (5) percent unless specified otherwise in city standards). All manholes shall be inspected for water tightness and be within specified tolerances. All pump stations shall be given an operational start up inspection in the presence of the city.
- (h) All service lines shall terminate in a clean out assembly and be marked with an above ground utility marker and a below grade magnetic marker.

Sec. 18-21. - Water supply.

The water supply system shall be constructed under the supervision of the health unit and shall comply with the requirements of the state health and human resources administration and fire protection authorities.

All subdivisions shall be provided with a water distribution system serving every lot. Every proposed building site shall be within five hundred (500) feet of a fire hydrant. Minimum water main size shall be sufficient to provide a minimum of twenty (20) psi residual pressure during design fire flow events. Minimum sizes shall not be less than the following:

- (a) No main shall be less than six (6) inches in diameter
- (b) No dead end main longer than five hundred (500) feet shall be less than eight (8) inches in diameter.
- (c) No dead end main serving more than one (1) hydrant shall be less than eight (8) inches in diameter.
- (d) No looped main over one thousand five hundred (1,500) feet in length serving two (2) hydrants or more shall be less than eight (8) inches in diameter.
- (e) No looped main over one thousand (1,000) feet in length serving three (3) hydrants or more shall be less than eight (8) inches in diameter.
- (f) No looped main serving four (4) hydrants or more shall be less than eight (8) inches in diameter.

Sec. 18-22. - Drainage.

- (a) *Master plan.* The developer shall plan all drainage for his subdivision in accordance with the area plan for drainage and in accordance with the drainage district area plan.
- (b) *Changing or altering existing drainage channels.* No person shall deepen, widen, fill, reroute or change the location of any existing ditch, stream, drain, or drainage canal without first obtaining written permission from the city engineering department. Plans for the deepening, widening, filling, rerouting or changing the location of any existing ditch, stream, drain or drainage canal shall comply with the area drainage plan and shall be constructed under the supervision of and be approved by the city engineer. Adequate servitudes or rights-of-way must be dedicated for the construction and maintenance of any channels which may be relocated.
- (c) *Servitudes for existing drainage channels.* Whenever any stream or improved surface drainage course is located in an area that is being subdivided, the subdivider shall dedicate an adequate right-of-way along each side of the stream as determined by the city council or governing drainage district.
- (d) *Stormwater.* Adequate provision shall be made for the disposal of stormwater subject to the approval of city engineer or governing drainage district.
- (e) *Contour map and drainage of adjacent areas.* A contour map shall be prepared for the area comprising the subdivision and such additional area as may be required or necessary to include all watersheds which

drain into the property to be developed, provided that this map of the adjacent area may be prepared from U.S.G.S. datum and data. In the design of the drainage for the subdivision, provision must be made to adequately take care of adjacent watershed areas which drain across or through the development or receive storm waters from the development.

All drainage structures installed as part of the development must be sufficient for the drainage of the entire watershed, both that portion being developed and the areas outside of the development which drain across or through the development. As a minimum, areas outside of the development which drain across or through the development shall be accounted for in the development's drainage design based on the land use in effect at the time of submittal of final plans on the development to the city. If preliminary or final development plans have been submitted to the city for the area outside of the development prior to preliminary or final plans being submitted to the city on the development, then areas outside of the development which drain across or through the development shall be accounted for in the development's drainage design based on the land use indicated in the preliminary or final plans submitted to the city at a minimum. Adequate easements and construction servitudes shall be provided for future needs, however, the developer shall be required to construct necessary drainage structures of sufficient hydraulic capacity to cover drainage needs of the development and adjacent areas as previously defined.

- (f) *Offsite drainage.* Drainage of storm water runoff from the development shall discharge into a publicly maintained drainage structure or feature. Developer shall obtain consent of the appropriate public entity for connection to its facility. The rate of storm water discharge from the development shall not exceed the capacity of the receiving structure. All drainage structures or features transporting storm water runoff from the development to a point of discharge, as previously defined, shall be located in a dedicated drainage right-of-way, easement or servitude.
- (g) *Rights-of-way.* Wherever drainage ditches or canals or similar drainage areas exist or are provided within the subdivision plan, adequate rights-of-way shall be dedicated on either side of such drainage facilities for maintenance and construction purposes. The width of such dedicated rights-of-way shall be determined by the planning director and the city engineer, based upon established criteria after review of the drainage requirements of the subdivision and consultation with engineer designing the subdivision and drainage district officials.
- (h) All subsurface drainage for local and collector streets shall be designed on the basis of a ten (10) year design frequency for the storm water runoff event as a minimum.
- (i) Subsurface drainage for arterial streets and some collector streets (dependant upon ADT and intended primary usage) shall be designed on the basis of a ten-year design frequency for the storm water runoff event.
- (j) Maximum length of pipe without an access structure is four hundred (400) feet.
- (k) Minimum pipe size for road drainage is fifteen (15) inches in diameter.
- (l) Curb inlet spacing shall be sufficient to limit lane flooding to:
 - (a) Two-thirds ($2/3$) of the width of the outside travel lane on local streets.
 - (b) One-half ($1/2$) of the width of the outside travel lane on collector and arterial streets.

- (m) A design drainage map and drainage calculations shall be submitted with the drawings, indicating drainage areas included in the drainage design and other factors pertinent to the design.
- (n) Prior to the commencement of any construction, site improvements, or landscape alterations for any development, the developer shall submit all drainage plans to Consolidated Gravity Drainage District No. 1 (West Calcasieu).

Sec. 18-23. - Permanent markers.

- (a) All subdivision boundary corners and the four (4) corners of all street intersections in subdivisions of previously unsubdivided tracts shall be marked with permanent monuments of concrete with a minimum dimension of four (4) square inches, extending a minimum of three (3) feet below the ground line, or steel pipe firmly imbedded in concrete which extends a minimum of three (3) feet below the ground line. Should conditions prohibit the placing of monuments on line, off-set marking will be permitted, provided however, that exact off-set courses and distances are shown on the subdivision plat.
- (b) A permanent benchmark shall be accessibly placed, and its elevation shall be based on mean sea level datum as determined by the U.S. Geological Survey, and accurately noted on the subdivision plat.

Sec. 18-24. – Procedures

Procedure for Major Subdivisions

- (a) *Conference with commission staff.* The subdivider or his engineer is invited to review his proposed development with the staff of the council before proceeding with his plans for a subdivision.
- (b) *Preliminary plan.* After a conference with the council staff, the subdivider shall submit four (4) black and white prints of the preliminary plans to the secretary of the council who will check the preliminary plan for compliance with the geometric standards and the preliminary plan requirements. When these requirements are fulfilled, the secretary will submit the preliminary plan to the council for approval of the subdivision. Upon approval by the council, the secretary will return to the subdivider an approved copy of the preliminary plan. If the subdivider fails to proceed with the steps required in subsections (c) through (e) below within six (6) months from the date of preliminary approval, the council reserves the right to cancel its preliminary approval. The preliminary approval of all incomplete subdivisions on file with the city at the time of adoption of these regulations shall be canceled six (6) months after adoption of these regulations unless application is made by the subdivider for renewal of the preliminary approval.
- (c) *Final plat and construction plans.* The subdivider or his engineer shall confer with the city council and the health unit to determine the standards and specifications which will govern proposed improvements. After preliminary approval of the geometric layout has been granted by the council, the developer shall submit complete construction plans for the entire development of the area given preliminary approval together with a complete and accurate contour map using mean sea level datum, to the city engineer for their review and approval. The construction plans shall include the complete design of the sanitary sewer system, storm drainage system, and the street system for the entire area to be subdivided. It shall be recognized as a principle that the sanitary sewer and storm drainage facilities cannot be properly designed on a piecemeal basis and that the entire area should be studied and worked out as a unit giving due consideration to the problems which may be created by the subdivision of adjacent lands, especially as pertains to drainage. The subdivider shall do no construction work until his completed construction plans

have been approved by the city engineering department, and a reasonable time must be allotted for the proper study of the plans submitted. After the construction plans have been approved, the subdivider and his engineer shall proceed with the preparation of the final plat. The subdivider shall not sell any lots in the subdivision until the final plat has been approved.

- (d) *Distribution of final plat and construction plan.* When the final plat and construction plans are complete, the subdivider shall distribute black and white prints as follows:
- (1) Two (2) copies of the final plat and one (1) copy of construction plans to the secretary of the council;
 - (2) Two (2) copies of the final plat, one (1) set of linen or reproducible tracings of construction plans and two (2) copies of construction plans to the city engineer;
 - (3) One (1) copy of the final plat and two (2) copies of sewer construction plans to the health unit.
- (e) *Approval of construction plans.* After construction plans have been approved by the city engineer and sewer construction plans have been approved by the department of public health and the health unit, the secretary of the council shall be notified of the approval in writing.
- (f) *Construction of improvements.* After approved construction plans have been filed with the secretary of the council, the subdivider may construct the required improvements. The city engineer shall be notified in advance of the date that the construction shall begin. Construction shall be performed under the supervision of the city engineer and shall at all times be subject to inspection by that department. However, this in no way shall relieve the subdivider and his engineer of close field supervision and final compliance with approved plans and specifications. A field inspection shall be maintained continuously on the site during all phases of the construction of sanitary sewers, underground storm drains and street pavements. The city engineer may demand that any inspector who appears incompetent or otherwise unsatisfactory shall be replaced by a satisfactory inspector. No construction work shall be undertaken prior to notifying the city engineer of the date on which the work will be commenced. The city engineer shall not accept any construction work which is in such a condition that it will require immediate and excessive maintenance by the city.
- (g) *Acceptance of improvements.* When construction is complete and in accordance with the approved plans and specifications and complies with the provisions of these regulations, the subdivider shall submit to the city the following for review prior to any consideration of acceptance of the improvements:
- (1) Written certification from the professional of record that the constructed work, including, but not limited to any roadways or utilities, conforms with city approved plans and specifications.
 - (2) All quality control test reports on infrastructure improvements including any nutilities and roadways, and then obtain written final approval and acceptance from the city engineer and submit such written approval to the secretary of the council.
 - (3) As-built drawings of al infrastructure improvements in an electronic format.
 - (4) An executed agreement providing a warranty for the improvements that runs for two (2) years from the date of the city's formal acceptance of the improvements, wherein the subdivider's contractor

and/or subdivider (as specified by the city engineer) guarantees that the improvements are free from defects and fit for their intended purpose.

- (h) *Approval of final plat.* Upon completion and acceptance of improvements, the secretary of the council shall check the final plat for conformity with the preliminary plans and for compliance with section 18-27. He shall then submit the plat to the council for final approval, and will indicate the approval by his signature on the plat.
- (i) *Filing and distribution of final plat.* The subdivider shall furnish the secretary of the council with one (1) full size black and white print and one (1) ledger size black and white print of the signed final plat, and the subdivider shall record a copy of the final plat at their expense in the office of the clerk and recorder for Calcasieu Parish within thirty (30) after final approval.
- (j) *Exceptions.* The following exceptions to certain provisions of this section are permissible:
 - (1) *Bond in lieu of immediate construction.* In lieu of immediate construction of improvements as required in subsection (f), the subdivider may file with the council a surety bond securing to the city council the actual satisfactory construction of proposed improvements within a period of not more than two (2) years from the date of the bond. The amount of the bond shall be approved by the city engineer and the form of the bond shall be approved by the city attorney. The bond shall be subject to cancellation only upon written approval of the director of the department of public works.
 - (2) *Subdivision or portion of a tract.* The owner or developer of a tract shall prepare a preliminary plan for the entire tract and then may submit a final plat for only a portion of the tract. No construction shall be started until construction plans for the entire area covered by the final plat have been approved. Improvements must be installed for all of that area for which a final plat is submitted and the owner may sell, lease or offer for sale or lease only those lots in the improved portion of the property. In such cases of partial development of a subdivision, the street system, drainage system, trunk sewers and sewerage treatment plans shall be designed and built to serve the entire area, or designed and built in such a manner as to be easily expanded or extended to serve the entire area.
 - (3) *Subdivisions not involving improvements.* After preliminary approval has been granted and it is determined by the council that no improvements are required, the subdivider may eliminate the steps required by subsections (c) through (g), except to prepare the final plat and submit two (2) black and white or blue lines to the secretary of the council.
 - (4) *Subdivisions consisting of five (5) lots or less.* For subdivisions consisting of five (5) lots or less, the final plat may be submitted in lieu of a separate preliminary plan.

Procedures for Minor Subdivisions

- (a) *Final plat and construction plans.* The subdivider shall follow the requirements set forth in Section 18-26. The Final Plat shall be submitted to the Director of Public Works for review. The subdivider shall not sell any lots in the subdivision until the final plat has been approved and recorded.
- (b) *Distribution of final plat and construction plan.* When the final plat is complete the subdivider shall distribute Two (2) copies of black and white prints to the secretary of the council.

- (c) *Approval of final plat.* The Director of Public Works shall check the final plat for conformity with City Zoning Ordinances. If approved in writing by the Council person(s) for the City Council District(s) where the property is situated, the Public Works Director (or their designee) and the Mayor shall have the authority to approve all minor subdivisions if the minor subdivision conforms with all City of Sulphur Zoning Requirements and Ordinances.
- (d) *Filing and distribution of final plat.* The subdivider shall furnish the secretary of the council with one (1) full size black and white print and three (3) ledger size black and white print of the signed final plat, and the subdivider shall record a copy of the final plat at their expense in the office of the clerk and recorder for Calcasieu Parish within thirty (30) after final approval.

Sec. 18-25. - Information required for Major Subdivisions on preliminary plat.

- (a) The purpose of the preliminary plan is to provide the subdivider and the council with sufficient information to study the proposed development and to determine that the subdivision will meet the requirements of these regulations. The preliminary plan shall be drawn to a scale of one (1) inch equals one hundred (100) feet or less. If the subdivision contains more than one hundred sixty (160) acres, the preliminary plan may be drawn to a scale of one (1) inch equals two hundred (200) feet.
- (b) The following specific information shall be required on the preliminary plan:
 - (1) *Title.* The title under which the proposed subdivision is to be recorded; the description of the property to be subdivided; the name of the owner or the subdivider; and the name of the engineer, surveyor or landscape architect, if any, who is platting the tract;
 - (2) *Boundary lines and existing improvements.* The present property, section and township lines; indication of incorporated areas, sewer districts, zoning districts, school district and other legally established districts, streets, buildings, water courses, drainage ditches, wooded areas, and other features within the area to be subdivided as well as similar facts regarding existing conditions on land immediately adjacent;
 - (3) *Adjoining property.* The names and boundaries of all adjoining subdivisions and the names and record owners of adjoining tracts of unsubdivided land;
 - (4) *Features of proposed subdivision.* The proposed location, approximate grade and gradient, width and names of streets and alleys; proposed location, width and other description of lots, building lines, servitudes and easements; and location and dimensions of existing buildings;
 - (5) *Sewers, waterlines and drainage ditches.* Existing drainage ditches, sanitary and storm sewers, water mains, culverts and other underground structures within the tract or immediately adjacent; statement of proposed plans for drainage and sewage disposal, including location of proposed culverts and bridges and a contour map where terrain might affect location of sewers and ditches;
 - (6) *Public utilities.* The location of all proposed public utilities including storm and sanitary sewers, water, gas and power lines;
 - (7) *Streets.* Statement of proposed street improvements, including contour map where terrain might affect location of street;

- (8) *Special use areas.* Location and size of proposed parks, playgrounds, church or school sites or other special uses of land to be considered for dedication to public use;
- (9) *North point.* Scale and date;
- (10) *Vicinity map.* A key or vicinity map, showing the area to be subdivided in relation to the nearest major street or road.

Sec. 18-26. – Final Plat

Information Required for Major Subdivisions on Final Plat

- (a) The final plat shall be drawn in ink to a scale of one (1) inch equals one hundred (100) feet or less, from an accurate survey and on one (1) or more sheets whose maximum dimensions are eighteen (18) inches by twenty-four (24) inches. In certain instances where the subdivided area is of unusual size or shape, the council may permit the variation in the scale or size of the final plat. If more than two (2) sheets are required, an index sheet of the same dimensions shall be filed showing the entire subdivision on one (1) sheet.
- (b) In addition to the information required in subsection (a) for the preliminary plan, the following specific information shall be required on the final plat:
 - (1) *Linear and angular dimensions.* All dimensions, both linear and angular, necessary for locating boundaries of subdivisions, lots, streets, alleys, servitudes, easements, building lines or any other areas for public or private use. Linear dimensions shall be expressed in feet and decimals of a foot;
 - (2) *Curve data.* Radii, arcs, chords, points of tangency, and central angles for all curvilinear streets; radii for all rounded corners;
 - (3) *Permanent markers and bench marks.* Location and description of all permanent markers; location, description and elevation of bench marks, based on mean sea level datum as determined by U.S.G.S. Where no recognized bench mark exists, a permanent bench mark shall be established on the property at mean sea level datum and shown on the plat;
 - (4) *Identification of lots.* All lot lines and identification system for all lots and blocks. All individual areas shall be designated by number or letter, and lots in new subdivisions shall be numbered consecutively. No tract or portion of land shall be indicated as "reserved";
 - (5) *Date and seal;*
 - (6) *Certification and seal by civil engineer or surveyor.* Certification and seal by a civil engineer or surveyor licensed to practice either of these professions in the state. Such certification shall be to the effect that the plat represents an actual survey made by the civil engineer or surveyor, that it conforms to R.S. 33:5051 and that all the necessary survey monuments are correctly shown on the plat;
 - (7) *Statement of dedication.* Statement signed by the owner to the effect that the streets and rights-of-way are dedicated to the perpetual use of the public for proper purposes, and that all areas shown as

servitudes are granted to the public for use of utilities, drainage, removal of septic tank effluent or sewage or other proper purposes for the general interest of the public. The statement shall provide no trees, shrubs or other plants may be planted, nor shall any building, fence, structure or improvements be constructed or installed within or over any servitude or right-of-way so as to prevent or unreasonably interfere with any purpose for which the servitude or right-of-way is granted;

- (8) *Statement regarding sewage disposal.* Statement signed by the owner and subdivider to the effect that no person shall provide or install a method of sewage disposal, except connection to an approved sanitary sewer system, until the method of sewage treatment and disposal has been approved by the health unit;
- (9) *Restrictions.* Private restrictions, restrictive covenants or trusteeships and their periods of existence to apply to lots in the subdivision shall be lettered on the plat and signed by the owner or his agent for recording in the office of the city clerk. Should the restrictions and trusteeships be of such length as to make the lettering of same on the plat impracticable and thus necessitate the preparation of a separate instrument, references to the instrument shall be made on the plat and the copies shall be furnished to the secretary of the council as he requests;
- (10) *Inundation.* When the area subdivided lies at such low elevation that without additional drainage facilities not then available it will become inundated or overflowed by rain or stormwater, a statement shall be lettered on the subdivision plat, setting forth these facts, and portions that have been overflowed shall be indicated on the plat.

Information Required for Minor Subdivisions on Final Plat

In addition to the information required in subsection (a) for the preliminary plan, the following specific information shall be required on the final plat:

- (a) The final plat shall be drawn in ink to a scale of one (1) inch equals one hundred (100) feet or less, from an accurate survey and on one (1) or more sheets whose maximum dimensions are eighteen (18) inches by twenty-four (24) inches. In certain instances where the subdivided area is of unusual size or shape, the council may permit the variation in the scale or size of the final plat. If more than two (2) sheets are required, an index sheet of the same dimensions shall be filed showing the entire subdivision on one (1) sheet.
 - (1) *Linear and angular dimensions.* All dimensions, both linear and angular, necessary for locating boundaries of subdivisions, lots, streets, alleys, servitudes, easements, building lines or any other areas for public or private use. Linear dimensions shall be expressed in feet and decimals of a foot;
 - (2) *Permanent markers and bench marks.* Location and description of all permanent markers; location, description and elevation of bench marks, based on mean sea level datum as determined by U.S.G.S. Where no recognized bench mark exists, a permanent bench mark shall be established on the property at mean sea level datum and shown on the plat;
 - (3) *Identification of lots.* All lot lines and identification system for all lots and blocks. All individual areas shall be designated by number or letter, and lots in new subdivisions shall be numbered consecutively. No tract or portion of land shall be indicated as "reserved";

- (4) *Date and seal;*
- (5) *Certification and seal by civil engineer or surveyor.* Certification and seal by a civil engineer or surveyor licensed to practice either of these professions in the state. Such certification shall be to the effect that the plat represents an actual survey made by the civil engineer or surveyor, that it conforms to R.S. 33:5051 and that all the necessary survey monuments are correctly shown on the plat;
- (6) *Restrictions.* Private restrictions, restrictive covenants or trusteeships and their periods of existence to apply to lots in the subdivision shall be lettered on the plat and signed by the owner or his agent for recording in the office of the city clerk. Should the restrictions and trusteeships be of such length as to make the lettering of same on the plat impracticable and thus necessitate the preparation of a separate instrument, references to the instrument shall be made on the plat and the copies shall be furnished to the secretary of the council as he requests;
- (7) *Inundation.* When the area subdivided lies at such low elevation that without additional drainage facilities not then available it will become inundated or overflowed by rain or stormwater, a statement shall be lettered on the subdivision plat, setting forth these facts, and portions that have been overflowed shall be indicated on the plat.

Sec. 18-27. - Information required for construction plan.

All designs shall be made in accordance with design standards of the city engineer and copy of complete design data shall be submitted for permanent record. The basic requirements on plans for streets and drainage improvements are as follows:

- (1) *Contour map.* Contour map of the area comprising the subdivision and sufficient additional area to include all water sheds which might be a factor in the design of the storm sewer system;
- (2) *Layout plan of storm sewer system or ditch drainage system.* To include culvert locations;
- (3) *Layout plan of sanitary sewer system.* If it is to be built;
- (4) *Plan profile.* Plan and profile of all streets, including the following:
 - a. Profile along the center line and each property line;
 - b. Proposed curb grade;
 - c. Grade of storm sewers or ditch drainage system;
 - d. Grade of sanitary sewers;
 - e. Design details of street and sewer improvements.

Sec. 18-28. - Variations and exceptions.

Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in these regulations would result in real difficulties and substantial hardships or injustices, the council may vary or modify the requirements, so that the subdivider is allowed to develop his property in a reasonable manner, but so that at the same time, the public welfare and interest of the city are protected and the general intent and spirit of these regulations are preserved.

Sec. 18-29. - Penalties.

Whoever, being owner or agent of the owner of any land located in a subdivision, transfers or sells, or agrees to sell any land by reference to, or exhibition of, or by other use of a plat of a subdivision, before such plat has been approved by the council and recorded or filed in the office of the city clerk, shall forfeit and pay a penalty of one hundred dollars (\$100.00) for each lot or parcel so transferred or sold or agreed or negotiated to be sold. The description of the lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from the penalties. Where decisions are left herein to the city engineer, any person dissatisfied with the decision may appeal therefrom to the council. The appeal shall be made by letter addressed to the council through its secretary, with sufficient copies to go to all members of the council. Upon receipt of such an appeal, the secretary shall notify the members of the council of the appeal on the agenda of the council for a hearing.

Sec. 18-30. - Alternate penalty provision.

- (a) It shall be unlawful for any person to violate or fail to comply with any provision of this chapter. In the alternative to any specific penalty provided therefor, the violation of, or failure to comply with, any provision of this chapter shall be punished by a fine not to exceed five hundred dollars (\$500.00) or imprisonment for a term not to exceed six (6) months or by both such fine and imprisonment within the discretion of the court, together with court costs and expenses.
- (b) Each day any violation of, or failure to comply with, any provision of this chapter continues, each such violation or failure to comply shall constitute a separate offense.
- (c) The City of Sulphur, through the office of property standards, shall have the right to enter upon any and all premises to ascertain whether the terms of this chapter are being complied with and any person denying or obstructing such entry shall be subject to the penalties provided herein.
- (d) Nothing in this chapter shall affect any criminal remedy provided by law or any legal power to inflict penalties for contempt.

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 November, 2021.

ATTEST:

ARLENE BLANCHARD, Clerk

JOY ABSHIRE, Chairman

The next item on the agenda is a public hearing on ordinance authorizing Mayor Danahay to sign lease agreement with Luke 1234 LLC for the Office of Motor Vehicles located at 1300 East Napoleon Street. Motion was made by Mr. Koonce seconded by Mrs. Ellender that the following ordinance be adopted to-wit:

ORDINANCE NO. 1752, M-C SERIES

ORDINANCE AUTHORIZING MAYOR MIKE DANAHAY TO SIGN LEASE AGREEMENT WITH LUKE 1234, LLC FOR THE OFFICE OF MOTOR VEHICLES LOCATED AT 1300 EAST NAPOLEON STREET.

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

WHEREAS, The City of Sulphur maintains and operates the Office of Motor Vehicles and is relocating said office due to Hurricane Laura; and

WHEREAS, The City of Sulphur and Luke 1234, LLC have mutually agreed to the lease of this property located at 1300 East Napoleon Street on a monthly rate of Five Thousand Three Hundred Eighty-Seven (\$5,387.00) Dollars for a 7-year period in accordance with the terms and conditions which are fully set forth in the attached lease; and

WHEREAS, term shall begin on the later of February 2, 2022 or when construction is complete and ending at midnight 7 years from commencement date.

NOW, THEREFORE BE IT ORDAINED that Mayor Mike Danahay is hereby authorized, empowered and directed to execute the lease between the City of Sulphur and Luke 1234, LLC for building and property located at 1300 East Napoleon Street, for a 7-year period, in accordance with the terms and conditions contained herein and set forth in the Lease attached hereto and made a part hereof.

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 November, 2021.

ATTEST:

ARLENE BLANCHARD, Clerk

JOY ABSHIRE, Chairman

The next item on the agenda is an introduction of ordinance repealing Ordinance No. 1645, M-C Series which authorized the lease of property of the City of Sulphur to Paula Carlin, 1001 Melanie Drive. Motion was made by Mrs. Ellender seconded by Mrs. Thomas that the following ordinance be introduced:

ORDINANCE REPEALING ORDINANCE NO. 1645, M-C SERIES WHICH AUTHORIZED THE LEASE OF PROPERTY OF THE CITY OF SULPHUR TO PAULA CARLIN, 1001 MELANIE DRIVE.

Motion was then made by Mrs. Ellender seconded by Mrs. Thomas 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 REPEALING ORDINANCE NO. 1645, M-C SERIES WHICH AUTHORIZED THE LEASE OF PROPERTY OF THE CITY OF SULPHUR TO PAULA CARLIN, 1001 MELANIE DRIVE.

A public hearing on said ordinance will be held at 5:30 p.m. on the 13th day of December, 2021, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____
JOY ABSHIRE, Chairman

Motion carried.

The next item on the agenda is an introduction of ordinance authorizing Mayor Danahay to sign JSA with Calcasieu Parish E911 Communications District for office space for Police Department. Motion was made by Mrs. Ellender seconded by Mr. Koonce that the following ordinance be introduced:

ORDINANCE AUTHORIZING MAYOR DANAHAY TO SIGN JSA WITH CALCASIEU PARISH E911 COMMUNICATIONS DISTRICT FOR OFFICE SPACE FOR POLICE DEPARTMENT.

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

PUBLIC NOTICE

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

ORDINANCE AUTHORIZING MAYOR DANAHAY TO SIGN JSA WITH CALCASIEU PARISH E911 COMMUNICATIONS DISTRICT FOR OFFICE SPACE FOR POLICE DEPARTMENT.

A public hearing on said ordinance will be held at 5:30 p.m. on the 13th day of December, 2021, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

JOY ABSHIRE, Chairman

Motion carried.

The next item on the agenda is a resolution approving liquor license for Mans Business dba Smokers Express located at 404 West Napoleon Street. Motion was made by Mrs. Ellender seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 3410, M-C SERIES

Resolution approving liquor license for Mans Business dba Smokers Express located at 404 West Napoleon Street.

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 Mans Business dba Smokers Express located at 404 West Napoleon Street.

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 November, 2021.

ATTEST:

ARLENE BLANCHARD, Clerk

JOY ABSHIRE, Chairman

The next item on the agenda is a resolution amending Resolution No. 3406, M-C Series that awarded low bid for Maplewood Drive Rehabilitation Phase II. Motion was made by Mrs. Ellender seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 3411, M-C SERIES

Resolution amending Resolution No. 3406, M-C Series that awarded low bid for Maplewood Drive Rehabilitation Phase II.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Resolution No. 3406, M-C Series that awarded low bid for Maplewood Drive Rehabilitation Phase II, as follows:

| <u>Company</u> | <u>Base Bid Amount</u> | <u>Alternate Bid #1</u> |
|-----------------------------------|------------------------|-------------------------|
| Williams Equipment Services, LLC | \$3,219,442.98 | \$1,183,386.32 |
| Siema Construction, LLC | \$3,348,783.15 | \$1,137,622.66 |
| McManua Construction, LLC | \$3,774,448.40 | \$1,349,099.40 |
| Progressive Construction Co., LLC | \$4,000,264.00 | \$1,318,681.90 |

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Mike Danahay and amend and award the bid for Maplewood Drive Rehabilitation Phase II as follows:

| <u>Company</u> | <u>Base Bid Amount</u> | <u>Alternate Bid #1</u> |
|----------------------------------|------------------------|-------------------------|
| Williams Equipment Services, LLC | \$3,219,442.98 | \$1,183,386.32 |

BE IT FURTHER RESOLVED that bid award is contingent upon Facility Planning and Control concurrence.

BE IT ALSO FURTHEREST RESOLVED that Mayor Mike Danahay is authorized to sign all paperwork in connection therewith.

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 November, 2021.

ATTEST:

ARLENE BLANCHARD, Clerk

JOY ABSHIRE, Chairman

The next item on the agenda is a resolution authorizing the advertisement of bids for annual supply of pipe and fittings, chemicals, limestone and asphalt mix for the City. Motion was made by Mrs. Hardy seconded by Mrs. Thomas that the following resolution be adopted to-wit:

RESOLUTION NO. 3412, M-C SERIES

Resolution authorizing advertisement for bids for the annual supply of pipe and fittings, limestone and asphalt mix and chemical supplies for the City.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize advertisement for bids for the annual supply of pipe and fittings, limestone and asphalt mix and chemical supplies for the City, said bid to be in accordance with the quantities and specifications on file with the City of Sulphur Purchasing Department.

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 the annual supply of pipe and fittings, limestone and asphalt mix and chemical supplies for the City will be received by the Clerk of the Council until 10:00 a.m. on the 7th day of December, 2021, 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 City Hall, and the City Council shall at a regular meeting on the 13th day of December, 2021, 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 located at 101 North Huntington Street, Sulphur, Louisiana

CITY OF SULPHUR, LOUISIANA

BY _____
JOY ABSHIRE, 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 December, 2021, 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 November, 2021.

ATTEST:

ARLENE BLANCHARD, Clerk

JOY ABSHIRE, Chairman

The next item on the agenda is a resolution appointing a member to the Sulphur Housing Authority Board of Directors. Motion was made by Mr. Koonce seconded by Mrs. Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 3413, M-C SERIES

Resolution appointing a member to the Sulphur Housing Authority Board of Commissioners.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby re-appoint Shirley Hoffpauir to the Sulphur Housing Authority Board of Directors (term to expire November, 2026).

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 November, 2021.

ATTEST:

ARLENE BLANCHARD, Clerk

JOY ABSHIRE, Chairman

The next item on the agenda is a resolution supporting four projects for CWPPRA Phase II (Coastal Wetland Planning, Protection and Restoration Act) construction funds for the restoration of Calcasieu-Sabine Basin marshes for damages caused by Hurricanes Laura, Beta and Delta. Motion was made by Mrs. Hardy seconded by Mrs. Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 3414, M-C SERIES

Resolution supporting four projects for CWPPRA Phase II (Coastal Wetland Planning, Protection and Restoration Act) construction funds for the restoration of Calcasieu-Sabine Basin marshes for damages caused by Hurricanes Laura, Beta and Delta.

WHEREAS, marsh restoration is needed in the Calcasieu-Sabine Basin; and

WHEREAS, the Calcasieu-Sabine Basin marshes have experienced an increased inundation of saltwater due to Hurricane's Laura, Beta, and Delta. It is unlikely that these marshes will recover from the losses experienced without comprehensive restoration efforts, and

WHEREAS, the No Name Bayou Marsh Creation & Nourishment (CS-78) project will create 478 acres of marsh using dredged from a borrow area in Calcasieu Lake. Specific goals of the project are to create 478 acres of marsh, nourish 61 acres and to degrade containment dikes as necessary to reestablish hydrologic connectivity with adjacent wetlands;

WHEREAS, the Sabine Marsh Creation Cycles 6& 7 (CS-81) project will beneficially use material dredged from Calcasieu Rive Ship Channel and pump via pipeline to create and nourish approximately 929 acres of marsh habitat. The goal of the marsh creation to slow saltwater intrusion and to reduce the wind induced erosion.

WHEREAS, the Long Point Bayou Marsh Creation (CS-85) project will beneficially use material dredge from Calcasieu River Ship Channel and pump via pipeline to create and nourish approximately 392

acres of marsh habitat. The goal of the marsh creation is to slow saltwater erosion and to reduce the wind induced erosion.

WHEREAS, The Oyster Lake Marsh Creation and Nourishment (CS-79) project will beneficially use material dredged from an offshore disposal area and pump via pipeline to create and nourish approximately 255 acres of intrusion and to reduce the wind induced erosion.

NOW, THEREFORE BE IT RESOLVED, by the Sulphur City Council on this 8th day of November, 2021, that the Secretary is hereby authorized, empowered and directed to forward this Resolution of support for the “No Name Bayou Marsh Creation & Nourishment, Sabine Marsh Creation Cycles 6 & 7, Long Point Bayou Marsh Creation, and the Oyster Lake Marsh Creation and Nourishment” to the Coastal Wetland Planning, Protection and Restoration Act Task Force.

BE IT FURTHER RESOLVED, that the Coastal Wetland Planning, Protection, and Restoration Act Task Force, through this Resolution, are requested to support the “No Name Bayou Marsh Creation & Nourishment, Sabine Marsh Creation Cycles 6 & 7, Long Point Bayou Marsh Creation, and the Oyster Lake Marsh Creation and Nourishment” (CWPPRA) for Phase II Funding for Construction.

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 November, 2021.

ATTEST:

ARLENE BLANCHARD, Clerk

JOY ABSHIRE, Chairman

The next item on the agenda is a resolution approving liquor license for Torstop LLC, located at 2060 Ruth Street. Motion was made by Mr. Koonce seconded by Mrs. Hardy that the following resolution be adopted to-wit:

RESOLUTION NO. 3415, M-C SERES

Resolution approving liquor license for Torstop LLC, located at 2060 Ruth Street.

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 Torstop LLC, located at 2060 Ruth Street.

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 November, 2021.

ATTEST:

ARLENE BLANCHARD, Clerk

JOY ABSHIRE, Chairman

The next item on the agenda is Public to Address Council. The following citizens spoke:

- Mrs. Mesuch stated that she was disappointed with the Council for not passing the Exception for 1418 Cypress Street.
- Owner of Smoothie King on Beglis Parkway stated that his business had to shut down for 5 days because there was a boil advisory for a wind-storm last week. The City submitted samples, but on Saturday the State asked for another sample. The City was closed on Monday for All Saints Day so the State didn't get the sample until Tuesday. He lost 5 days revenue due to this. *(The Mayor stated that trucks only run on certain days and the City was closed on the following Monday).*

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

ATTEST:

ARLENE BLANCHARD, Clerk

JOY ABSHIRE, Chairman

10/8/21
7:20 P.M.