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August 8, 2022

The City Council of the City of Sulphur, Louisiana, met in regular session at its temporary location located at 1551 East Napoleon Street in the Council Chambers, Sulphur, Louisiana, on August 8, 2022, 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  
NICK NEZAT, 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. Abshire.

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 Mrs. Hardy that the minutes stand as written. Motion carried unanimously.

Motion was then made by Mr. Nezat seconded by Mrs. Abshire that item #3 be moved up to item #1A. Motion carried unanimously.

Motion was then made by Mrs. Abshire seconded by Mrs. Hardy that item #7 be removed from the agenda:

Introduction of Ordinance amending Chapter 18, Section 4 of the Code of Ordinances of the City of Sulphur – Subdivision Definitions; minor/major.  
ORD87-22 (Mayor Danahay)

Motion carried unanimously.

Motion was then made by Mrs. Hardy seconded by Mrs. Ellender that item #10 be removed from the agenda:

Resolution awarding bid for the Sulphur Housing Authority Sewer Pump Station.  
RES56-22 (Mayor Danahay)

Motion carried unanimously.

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Motion was then made by Mrs. Hardy seconded by Mrs. Ellender that item #11 be removed from the agenda:

Resolution authorizing the advertisement of bids for Prater Road-Bayou D'Inde Sanitary Sewer Lift Station Improvements. RES57-22 (Mayor Danahay)

Motion carried unanimously.

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

Resolution granting a variance to Jerry Powell, 309 Morgan Road, to allow for a mobile home to be older than 10 years of age (2002). RES59-22 (Melinda Hardy)

Motion carried unanimously.

Motion was then made by Mr. Nezat to add 4A to the agenda:

Resolution appointing a member to the Land Use Commission for District 2.

Motion failed for lack of second.

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

Motion carried unanimously.

The first item on the agenda a public hearing on ordinance granting a rezone to Jared and Jaime Lee, 801 Willow Street, from Residential to Business to allow for a chiropractic clinic. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be adopted to-wit:

ORDINANCE NO. 1799, M-C SERIES

ORDINANCE GRANTING A REZONE TO JARED AND JAIME LEE, 801 WILLOW STREET, FROM RESIDENTIAL TO BUSINESS TO ALLOW FOR A CHIROPRACTIC CLINIC.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Jared and Jaime Lee, 801 Willow Street, from Residential to Business to allow for a chiropractic clinic for the following described property:

E 111.5 FT OF N 145 FT LOT 56 BLK "D" GEO LOCK SUB IN N/2 SE AND  
S/2 NE SEC 34.9.10 LESS 0.005 ACS FOR PARC #17-2 CYPRESS STREET.

This rezone is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said rezone interfere with the rights and privileges owned by the City of Sulphur pursuant to a pre-existing right of way, servitude, or easement. If withdrawn, any improvements constructed thereon shall be removed at the expenses of owner thereof.

Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the granting of this rezone, including, but not limited to, litigation defense, litigation costs, violation of

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subdivision restrictive covenants, building code violations or any other damages, property and/or monetary or otherwise, relating thereto.

Upon approval of this rezone the owner of this rezone shall be responsible for the recordation thereof, with the Clerk of Court, Calcasieu Parish, Louisiana, and shall provide the City of Sulphur a receipt evidencing recordation within 10 days of the effective date of this rezone.

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

BE IT FURTHER ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Jared and Jaime Lee, 801 Willow Street, from Residential to Business to allow for a chiropractic clinic

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 8<sup>th</sup> day of August, 2022.

ATTEST:

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ARLENE BLANCHARD, Clerk

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MANDY THOMAS, Chairman

The next item on the agenda is Recognition of SPAR Little League Allstars baseball team for winning 2<sup>nd</sup> in State. Mayor Danahay presented a Proclamation to the team and congratulated them on their win.

The next item on the agenda is Recognition of Little Britches Rodeo contestants. Mayor Danahay presented a Proclamation to the contestants and congratulated them on each of their wins.

The next item on the agenda is a public hearing on ordinance amending Appendix B, Article III, Part 1, Section 1 (1) of the Code of Ordinances of the City of Sulphur – Membership of Land Use and Planning Commission. Motion was made by Mr. Nezat seconded by Mrs. Ellender that the following ordinance be adopted to-wit:

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ORDINANCE NO. 1800, M-C SERIES

ORDINANCE AMENDING APPENDIX B, ARTICLE III, PART 1, SECTION 1  
(1) OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR –  
MEMBERSHIP OF LAND USE AND PLANNING COMMISSION.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Appendix B, Article III, Part 1, Section 1 (1) of the Code of Ordinances of the City of Sulphur – Membership of Land Use and Planning Commission to read as follows:

**Appendix B, Article III, Part 1**

**Sec. 1-1. Land Use and Planning Commission.**

(1) Membership.

- (a) The Land Use Planning Commission of the City of Sulphur shall be appointed by the Sulphur City Council. This commission shall consist of (5) five members with each Councilman appointing (1) one person from their district. These terms shall run concurrent with the appointing Sulphur City Council member's term with a new appointment to be made following the commencement of a new term by a newly elected council member.

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

BE IT FURTHER ORDAINED that this Ordinance shall be given effect for any current council members to make appointments if that council member's term had not commenced at the time of the current appointment.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 8<sup>th</sup> day of August, 2022.

ATTEST:

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ARLENE BLANCHARD, Clerk

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MANDY THOMAS, Chairman

The next item on the agenda is a public hearing on ordinance authorizing Mayor Danahay to sign Cooperative Endeavor Agreement with Calcasieu Parish Police Jury for Joint Jurisdiction Overlays 2022-2024 for Brady Street (west of North Claiborne Street) and Lewis Street pavement markings (between Barney Hoffpauir Road and O'Quain Street). Motion was made by Mrs. Hardy seconded by Mrs. Ellender that the following ordinance be adopted to-wit:

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ORDINANCE NO. 1801, M-C SERIES

ORDINANCE AUTHORIZING MAYOR DANAHAY TO SIGN COOPERATIVE ENDEAVOR AGREEMENT WITH CALCASIEU PARISH POLICE JURY FOR JOINT JURISDICTION OVERLAYS 2022-2024 FOR BRADY STREET (WEST OF NORTH CLAIBORNE STREET) AND LEWIS STREET PAVEMENT MARKINGS (BETWEEN BARNEY HOFFPAUIR ROAD AND O'QUAIN STREET).

WHEREAS, the Parish and the City agree to overlay approximately 834 feet of Brady Street, west of North Claiborne Street and replace pavement markers on Lewis Street between O'Quain Street and Hoffpauir Road; and

WHEREAS, the City's reimbursement to the Parish for Brady Street is fifty percent (50%) of the construction cost or twenty-seven thousand six hundred forty-two dollars (\$27,642.00); and

WHEREAS, the City's reimbursement to the Parish for Lewis Street is fifty percent (50%) of the construction cost or two thousand one hundred forty-four dollars (\$2,144.00); and

WHEREAS, the total estimated cost for the City's portion for both projects is twenty-nine thousand seven hundred eighty-six dollars (\$29,786.00); and

WHEREAS, actual reimbursement amounts shall be based on actual cost incurred for the Projects.

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 sign a Cooperative Endeavor Agreement with Calcasieu Parish Police Jury for Joint Jurisdiction Overlays 2022-2024 for Brady Street (west of North Claiborne Street) and Lewis Street pavement markings (between Barney Hoffpauir Road and O'Quain Street).

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

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 8<sup>th</sup> day of August, 2022.

ATTEST:

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ARLENE BLANCHARD, Clerk

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MANDY THOMAS, Chairman

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The next item on the agenda is an introduction of ordinance declaring certain surplus movable property of the City of Sulphur and providing for the disposal thereof. Motion was made by Mrs. Ellender seconded by Mrs. Hardy that the following ordinance be introduced:

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

Motion was then made by Mrs. Ellender seconded by Mrs. Hardy 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 “American Press”, the official journal of the City of Sulphur, Louisiana, and that the said Notice of Introduction of the above ordinance is substantially in the following form:

**PUBLIC NOTICE**

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

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

A public hearing on said ordinance will be held at 5:30 p.m. on the 12<sup>th</sup> day of September, 2022, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA  
BY: \_\_\_\_\_  
MANDY THOMAS, Chairman

Motion carried.

The next item on the agenda is a resolution accepting Substantial Completion for Smith Road and Archie Road Rehabilitation. Motion was made by Mrs. Hardy seconded by Mrs. Ellender that the following resolution be adopted to-wit:

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RESOLUTION NO. 3476, M-C SERIES

Resolution accepting Substantial Completion for the Smith Road and Archie Road Rehabilitation.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept Substantial Completion for the Smith Road and Archie Road Rehabilitation.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 8<sup>th</sup> day of August, 2022.

ATTEST:

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ARLENE BLANCHARD, Clerk

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MANDY THOMAS, Chairman

The next item on the agenda is a resolution accepting Substantial Completion for Mimosa Heights Phase I Drainage Improvements. Motion was made by Mrs. Hardy seconded by Mrs. Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 3477, M-C SERIES

Resolution accepting Substantial Completion for Mimosa Heights Phase I Drainage Improvements.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept Substantial Completion for Mimosa Heights Phase I Drainage Improvements.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 8<sup>th</sup> day of August, 2022.

ATTEST:

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ARLENE BLANCHARD, Clerk

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MANDY THOMAS, Chairman

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The next item on the agenda is a resolution granting a variance to Hathaway Acres, LLC, 776 Trahan Street, to allow for a mobile home to be older than 10 years of age (2005). Motion was made by Mrs. Ellender seconded by Mrs. Hardy that the following resolution be adopted to-wit:

RESOLUTION NO. 3478, M-C SERIES

RESOLUTION GRANTING A VARIANCE TO HATHAWAY ACRES, LLC, 776 TRAHAN STREET, TO ALLOW FOR A MOBILE HOME TO BE OLDER THAN 10 YEARS OF AGE (2005).

WHEREAS, in accordance with Chapter 14, Section 5(a)(1)(a) of the Code of Ordinances, a variance may be considered by City Council for mobile/manufactured homes that are greater than 10 years of age.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, that they do hereby grant a variance to Hathaway Acres, LLC, 776 Trahan Street, to allow for a mobile home to be older than 10 years of age (2005) for the following described property:

BEG AT PT 1670 FT N AND 369 FT W OF SW COR E ½ E ½ OF SE 28.9.10, TH W 300 FT TH N 106 FT ETC

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

Upon approval of this variance the owner of this variance 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 variance.

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

BE IT FURTHEREST RESOLVED by the City Council of the City of Sulphur, Louisiana, that they do hereby grant a variance to Hathaway Acres, LLC, 776 Trahan Street, to allow for a mobile home to be older than 10 years of age (2005).

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None



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And the said resolution was declared duly adopted on this 8<sup>th</sup> day of August, 2022.

ATTEST:

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ARLENE BLANCHARD, Clerk

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MANDY THOMAS, Chairman

The next item on the agenda is a resolution authorizing Mayor Danahay to submit the FY 2020 Edward Byrne Allocation Justice Assistance Grant (JAG) for I.T. equipment for Police Department. Motion was made by Mrs. Ellender seconded by Mrs. Hardy that the following resolution be adopted to-wit:

RESOLUTION NO. 3479, M-C SERIES

Resolution authorizing Mayor Mike Danahay to submit the 2020 Edward Byrne Allocation Justice Assistance Grant (JAG) for I.T. equipment for Police Department.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Mike Danahay to submit the 2019 Edward Byrne Allocation Justice Assistance Grant (JAG) for I.T. equipment for Police Department.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 8<sup>th</sup> day of August, 2022.

ATTEST:

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ARLENE BLANCHARD, Clerk

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MANDY THOMAS, Chairman

The next item on the agenda is a resolution appointing a member to the Civil Service Board for Fire Department. Motion was made by Mrs. Ellender seconded by Mrs. Hardy that the following resolution be adopted to-wit:

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RESOLUTION NO. 3480, M-C SERIES

Resolution appointing a member to the Municipal Fire and Police Civil Service Board for the Fire Department.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby appoint Mark Rozas to the Municipal Fire and Police Civil Service Board for the Fire Department with term to expire July 29, 2025.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 8<sup>th</sup> day of August, 2022.

ATTEST:

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ARLENE BLANCHARD, Clerk

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MANDY THOMAS, Chairman

The next item on the agenda is a resolution appointing a member to the Civil Service Board for Police Department. Motion was made by Mrs. Hardy seconded by Mr. Nezat that the following resolution be adopted to-wit:

RESOLUTION NO. 3481, M-C SERIES

Resolution appointing a member to the Municipal Fire and Police Civil Service Board for the Police Department.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby appoint John Wall to the Municipal Fire and Police Civil Service Board for the Police Department with term to expire July 29, 2025.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 8<sup>th</sup> day of August, 2022.

ATTEST:

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ARLENE BLANCHARD, Clerk

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MANDY THOMAS, Chairman

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The next item on the agenda is a resolution authorizing the Request for Proposals for the videoing of City Council meetings. Motion was made by Mr. Nezat. Motion died for lack of second.

And the following resolution failed on the 8<sup>th</sup> day of August, 2022:

Resolution authorizing the Request for Proposals for the videoing of City Council meetings.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize the Request for Proposals for the videoing of City Council meetings.

ATTEST:

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ARLENE BLANCHARD, Clerk

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MANDY THOMAS, Chairman

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

- a. To condemn building or structure located at 120 Roberta Drive, in accordance with Article IX, Section 5-286 through 5-296. (Dru Ellender)

Motion was made by Mrs. Ellender seconded by Mrs. Hardy that the above address be given a 60-day extension and be placed on the October 11, 2022, City Council agenda.

Motion carried unanimously.

- b. To condemn building or structure located at 130 Self Street #7, in accordance with Article IX, Section 5-286 through 5-296. (Mandy Thomas)

Motion was made by Mrs. Abshire seconded by Mrs. Ellender that the above address be demolished.

Motion carried unanimously.

- c. To condemn building or structure located at 115 S. Cities Service Hwy., in accordance with Article IX, Section 5-286 through 5-296. (Mandy Thomas)

Motion was made by Mrs. Ellender seconded by Mrs. Abshire that the above address be given a 60-day extension and placed on the October 11, 2022, City Council agenda.

Motion carried unanimously.

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- d. To condemn building or structure located at 301 E. Napoleon Street, in accordance with Article IX, Section 5-286 through 5-296. (Melinda Hardy)

Motion was made by Mrs. Ellender seconded by Mrs. Hardy that the above address be removed from the agenda since the owners are almost complete with the demolition.

Motion carried unanimously.

- e. To condemn building or structure located at 836 Urban Street, in accordance with Article IX, Section 5-286 through 5-296. (Dru Ellender)

Motion was made by Mrs. Ellender seconded by Mr. Nezat that the above address be removed from the agenda since the owners are currently in the process of demolishing.

Motion carried unanimously.

- f. To condemn building or structure located at 301 Foreman Avenue, in accordance with Article IX, Section 5-286 through 5-296. (Nick Nezat)

Motion was made by Mr. Nezat seconded by Mrs. Abshire that the above address be demolished.

Motion carried unanimously.

- g. To condemn building or structure located at 700 1<sup>st</sup> Avenue, in accordance with Article IX, Section 5-286 through 5-296. (Melinda Hardy)

Mrs. VanderHey, Ordinance Enforcement, stated that there was no action needed on the above address since it's already been demolished.

- h. To condemn building or structure located at 204 E. Thomas Street, in accordance with Article IX, Section 5-286 through 5-296. (Melinda Hardy)

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

Motion carried unanimously.

- i. To condemn building or structure located at 2508 ½ Fasske Street, in accordance with Article IX, Section 5-286 through 5-296. (Joy Abshire)

Motion was made by Mrs. Abshire seconded by Mrs. Ellender that the above address be demolished.

Motion carried unanimously.

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- j. To condemn building or structure located at 1105 Lori Lane, in accordance with Article IX, Section 5-286 through 5-296. (Joy Abshire)

Motion was made by Mrs. Abshire seconded by Mrs. Hardy that the above address be given a 60-day extension and be placed on the October 11, 2022, City Council agenda.

Motion carried unanimously.

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

Jared Hewitt – voiced concerns about the construction dangers on Maplewood Dr.

Cindy Robertson – she emailed Mrs. Ellender in support of videoing. Also showed concern with the Resolutions and Ordinances not being posted on City’s website for this meeting.

Sheila Broussard – listed a few cities in Louisiana that video their Council meetings (Alexandria, Zachary, New Orleans, Central and Shreveport).

Michael Eaton – showed concern about the Entergy meters and high electricity bills.

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

ATTEST:

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ARLENE BLANCHARD, Clerk

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MANDY THOMAS, Chairman

8/8/22  
6:30 P.M.