
May 8, 2023

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 May 8, 2023, 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. Ellender.

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

Motion was then made by Mrs. Abshire seconded by Mrs. Ellender that item #4B be removed from the agenda:

To condemn building or structure located at 801 Cass Street, in accordance with Article IX, Section 5-286 through 5-296.

Motion carried unanimously.

Motion was then made by Mrs. Abshire seconded by Mrs. Ellender that item #17 be removed from the agenda:

Public Hearing on ordinance amending Resolution No. 2102, M-C Series, which authorized the Mayor to enter into an Inter-Governmental Agreement with the Calcasieu Parish Police Jury for Wastewater Treatment Services for Mossville area (Sewerage District No. 8).

Motion carried unanimously.

Motion was then made by Mrs. Abshire seconded by Mrs. Hardy that item #24 be removed from the agenda:

Resolution appointing a member to the West Calcasieu Port, Harbor and Terminal District.

Motion carried unanimously.

Motion was then made by Mrs. Abshire seconded by Mrs. Ellender that item #26 be reworded as follows:

Resolution ordering and calling tax renewal elections to be held in the City of Sulphur, Louisiana, on November 18, 2023, for the purpose of submitting to the electors residing in the city, two propositions, one to renew a special ad valorem of five mills for fire protection, and one to renew a special ad valorem tax of five mills for street improvements.

Motion carried unanimously.

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

Motion carried unanimously.

The first item on the agenda is a resolution electing a Chairman and Vice-Chairman for City Council. At this time Mrs. Ellender presented Mrs. Thomas with a plaque in appreciation of her being Chairman for 2022-2023 term. Motion was then made by Mrs. Abshire seconded by Mr. Nezat that the following resolution be adopted to-wit:

RESOLUTION NO. 3524, M-C SERIES

Resolution electing a Chairman and Vice-Chairman for City Council.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby elect Dru Ellender as Chairman and Melinda Hardy as Vice-Chairman for City Council.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT:

And the said resolution was declared duly adopted on this 8th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a presentation to Kai Richardson, Maplewood Middle School, winner of the CBS Lake Charles Regional Spelling Bee and contestant for the upcoming Scripps National Spelling Bee.

Mayor Danahay presented Kai with a proclamation and the Mayor and Council wished him good luck in the spelling bee.

The next item on the agenda is to adopt the millage rates for tax year 2023. With there being no comments from anyone, motion was made by Mrs. Hardy seconded by Mr. Nezat that the following ordinance be adopted to-wit:

ORDINANCE NO. 1846, M-C SERIES

ORDINANCE WHICH SETS FORTH THE GENERAL ALIMONY, STREET
MAINTENANCE, AND FIRE MAINTENANCE AUTHORIZED MILLAGE RATES IN
THE CITY OF SULPHUR FOR THE 2023 TAX YEAR.

SECTION 1: BE IT ORDAINED by the Mayor and City Council of the City of Sulphur, Louisiana, in regular and legal session convened, that the City of Sulphur of the Parish of Calcasieu, Louisiana, in a public meeting held on May 8, 2023, which meeting was conducted in accordance with the Open Meetings Law and the additional requirements of Article XII, Section 3 of the Louisiana Constitution and R.S. 42:11 – 28 [R.S. 42:11, et seq.] that the following millage rate(s) be and they are hereby levied upon the dollar of each assessed valuation of all property which is subject to ad valorem taxation within said City for the year 2023 for the purpose of raising revenue:

<u>Tax Description:</u>	<u>Millage Rate(s):</u>
General Alimony (5096 001):	5.850 mills
Street Maintenance (5096 002):	5.300 mills
Fire Maintenance (5096 003):	5.300 mills

SECTION 2. BE IT FURTHER ORDAINED that the proper administrative officials of the Parish of Calcasieu, State of Louisiana, be and they are hereby empowered, authorized, and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said Parish for the year 2023, and to make the collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by law.

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 8th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, 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 427, 427 ½ & 435 North Crocker Street, in accordance with Article IX, Section 5-286 through 5-296.

Mr. Sumpter addressed the Council and stated that he's had a few surgeries and hadn't been able to work on it that much. He's spent \$75,000 already on these properties. People keep vandalizing them. Just when I board them up, they vandalize them again. He asked for 45 days to make repairs. Mrs. Ellender asked if it would be cheaper to just rebuild the homes. Mrs. Sumpter stated that he wants to remodel them. Mrs. VanderHey, Ordinance Enforcement, stated that this case was reopened in June 2022 for all the addresses. Motion was then made by Mrs. Abshire seconded by Mrs. Hardy that the above addresses be put on the July, 2023, City Council agenda and substantial improvements must be made by that time.

Motion carried unanimously.

- b. To condemn building or structure located at 632 Maple Street, in accordance with Article IX, Section 5-286 through 5-296.

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

Motion carried unanimously.

- c. To condemn building or structure located at 1201 Taylor Street, in accordance with Article IX, Section 5-286 through 5-296.

Denise Fontenot, Director of Municipal Services, stated that this property has been sold and the new owners have met with the Permit office already to get started with renovations. Motion was made by Mr. Nezat seconded by Mrs. Abshire that the above address be granted a 30-day extension.

Motion carried unanimously.

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 located at 945 Beulah Street, in accordance with Ordinance No. 1693, M-C Series.

Mrs. Hardy stated that she would abstain from voting since her children are related to the property owner. Motion was made by Mrs. Abshire seconded by Mrs. Thomas that the above address be granted a 6-month extension.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

ABSTAIN: Mrs. Hardy

And the above address was granted a 6-month extension on this 8th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

- b. To extend temporary housing in a recreational vehicle located at 9 Poinsetta Street, in accordance with Ordinance No. 1693, M-C Series.

Motion was made by Mrs. Thomas seconded by Mrs. Abshire that the above address be granted a 6-month extension.

Motion carried unanimously.

- c. To extend temporary housing in a recreational vehicle located at 906 Taylor Street, in accordance with Ordinance No. 1693, M-C Series.

Motion was made by Mr. Nezat seconded by Mrs. Abshire that the above address be granted a 30-day extension.

Motion carried unanimously.

The next item on the agenda is a public hearing on ordinance granting a rezone to ALK Properties, 2616 Lena Street, from Residential to Commercial to allow for expansion of current business located at 317 Patton Street. Mr. Marburger addressed the Council and stated that he has been employed at this location since 2005 and purchased it in 2019. They sponsor lots of sports in Sulphur as well as Brimstone Art camp. They aren't changing their operation of business, only reorganizing workspace to streamline things. The doors on the north side of the building will only be for emergency use only. They'll put hedges as well as a 6-foot wall on the north

side. There will be no impact to Allen Street as far as traffic. He did a noise survey and had 600 points of data. There was very little noise from Kim Kool. Most of the noise was from I-10 traffic. They've received only 1 complaint in all their years they've been there, and it was addressed immediately.

Chris Higginbotham, Allen Street, addressed the Council and stated that he opposes all three rezones. This will set a precedent for our neighborhood. Our homes will be unsellable. It's not easy to just pick up and leave and find another house. Our mortgages will be double if we move. There's also a vermit problem in the neighborhood.

Cynthia Jones, 430 Patton Street, stated that they all oppose the rezones and property values will drop. Her solution is that Mr. Marburger needs to buy another piece of property at a different location and this property needs to revert back to residential or they can put apartments here.

Pam Wiese, 2517 Allen Street, stated that her and her husband doesn't hear any noise from Kim Kool, it's all I-10 traffic noise. Will it really devalue our home? She also stated that both her and her husband are for the rezone. It'll be more tax revenue for the city.

Debbie Guillory, 2512 Allen Street, stated that she opposes the rezones also. This business is taking over our neighborhood. He needs to buy somewhere else.

Cynthia Jones stated that when she called the Police for the noise, Mr. Marburger took care of the complaint immediately.

Mr. LeBlanc, Roberta Drive, stated that the Council needs to be aware of businesses in Maplewood by the big, fine homes because they may want to rezone in that area to. You do for 1, you do for all. It'll be a lawsuit if you grant 1 and not all of them.

(It was determined that when the Council Clerk was doing her minutes, she realized that a motion/second was not made. This item will be placed on the June 12, 2023, City Council agenda for another public hearing.)

The next item on the agenda is a public hearing on ordinance granting a rezone to ALK Properties, 2606 Allen Street, from Residential to Commercial to allow for expansion of current business located at 317 Patton

Street. Carl Hardy, owner of rental property on Allen Street, stated he was against the rezones. Residents lose sleep over the noise issue. Rhonda Duhon, 2602 Allen Street, stated that the noise is not a problem for them. If we have to move it'll hit our retirement hard. This rezone will devalue their home. Mark Duhon, 2602 Allen Street, stated that a business is trying to come into a residential neighborhood. No one on the Council would want to live next to this business. After discussion, motion was made by Mr. Nezat seconded by Mrs. Abshire that the following ordinance be adopted to-wit:

ORDINANCE GRANTING A REZONE TO ALK PROPERTIES, 2606 ALLEN STREET,
FROM RESIDENTIAL TO COMMERCIAL TO ALLOW FOR EXPANSION OF
CURRENT BUSINESS LOCATED AT 317 PATTON STREET.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby grant a rezone to ALK Properties, 2606 Allen Street, from Residential to Commercial to allow for expansion of current business located at 317 Patton Street for the following described property:

LOT 13 WILLIE PICARD SUB

This rezoning is approved contingent upon applicant and any future owner continuing to comply with the original commitment to provide and maintain:

1. A 6-foot privacy fence on the north side of the property.
2. Evergreen hedge on the north side of the property.
3. A 26.5-foot buffer on north side of the property.
4. No additional parking on 2606 Allen 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 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 ALK Properties, 2606 Allen Street, from Residential to Commercial to allow for expansion of current business located at 317 Patton Street with the above stipulations.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mrs. Abshire

NAYS: Mr. Nezat, Mrs. Hardy, Mrs. Thomas

ABSENT: None

And the said ordinance failed on this 8th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance granting a rezone to ALK Properties, 317 Patton Street, from Business to Commercial to be contiguous with expansion of 2616 Lena Street and 2606 Allen Street. *(This item was removed from the agenda since it was stated in the ordinance that it was contingent upon the 2 rezones prior to this being adopted).*

The next item on the agenda is a resolution granting a variance to Reina Manrique, 1231 Franklin Street, to allow for a mobile home to be greater than 10 years (1996). Motion was made by Mrs. Abshire seconded by Mrs. Thomas that the following stipulation be adopted to-wit:

WHEREAS, the following stipulations shall be placed on said property:

1. Prior to moving the mobile home, the hitch shall be secure to the mobile home.
2. The building attached to the mobile home shall not be moved to 1231 Franklin Street.
3. The mobile home shall be skirted and anchored within 30 days of moving to 1231 Franklin Street, in accordance with city ordinances.

Motion carried unanimously.

Motion was then made by Mrs. Thomas seconded by Mr. Nezat that the following resolution be adopted to-wit:

RESOLUTION NO. 3525, M-C SERIES AS AMENDED

RESOLUTION GRANTING A VARIANCE TO MANRIQUE REINA, 1231 FRANKLIN STREET, TO ALLOW FOR A MOBILE HOME TO BE GREATER THAN 10 YEARS (1996).

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 Manrique Reina, 1231 Franklin Street, to allow for a mobile home to be greater than 10 years (1996) for the following described property:

LOT D AND E OF SHILTS SUB.

WHEREAS, the following stipulations shall be placed on said property:

4. Prior to moving the mobile home, the hitch shall be secure to the mobile home.
5. The building attached to the mobile home shall not be moved to 1231 Franklin Street.
6. The mobile home shall be skirted and anchored within 30 days of moving to 1231 Franklin Street, in accordance with city ordinances.

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 Manrique Reina, 1231 Franklin Street, to allow for a mobile home to be greater than 10 years (1996) with the above stipulations.

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 8th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance adopting the annual budget of revenues and expenditures for the fiscal year July 1, 2023, to June 30, 2024, for the City of Sulphur, Louisiana. Motion was made by Mrs. Abshire seconded by Mr. Nezat that the following ordinance be adopted to-wit:

ORDINANCE NO. 1847, M-C SERIES

AN ORDINANCE ADOPTING THE ANNUAL BUDGET OF REVENUES
AND EXPENDITURES FOR THE FISCAL YEAR JULY 1, 2023, TO
JUNE 30, 2024, FOR THE CITY OF SULPHUR, LOUISIANA.

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

- SECTION I. The attached estimate of revenues as reflected in the summary and such other fiscal exhibits and information as required by Section 1308(D), Louisiana Local Government Act, be and the same, is hereby adopted to serve as the Budget of Revenues for the City of Sulphur for fiscal year July 1, 2023, to June 30, 2024.
- SECTION II. The attached statement of anticipated expenditures as reflected in the summary and such other fiscal exhibits and information as required by Section 1308(D), Louisiana Local Government Act, be and the same is hereby adopted to serve as the Budget of Expenditures for the City of Sulphur for the fiscal year July 1, 2023, to June 30, 2024.
- SECTION III. The adoption of the Budget of Expenditures as reflected in the line-item budget filed with the Clerk of the Council containing object of expenditure classifications shall be declared to be the appropriation of the amount set therein as established in each budget classification by object of expenditure.
- SECTION IV. The adoption of the Capital Improvement Budget as submitted for a period of five years with the first year being for the budget year 2023-2024 shall be for the expenditures as appropriated therein.
- SECTION V. The amounts appropriated for all accounts shall not exceed the amounts fixed therefor in the Budget of Expenditures unless all terms and conditions of the Sulphur Home Rule Charter are complied with. In accordance with Section 5-04 (E) of the Sulphur Home Rule

Charter (Transfer of Appropriations): At any time during the fiscal year the Mayor may transfer part or all of any unencumbered appropriation within programs or functions. Nothing contained in this section shall be construed to prohibit the governing authority from amending or making an appropriation to and for a contingent fund to be used in cases of emergency.

BE IT FURTHER ORDAINED that this Ordinance shall become effective July 1, 2023.

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 8th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance setting forth water fees charged by the City of Sulphur. Motion was made by Mrs. Abshire seconded by Mr. Nezat that the following ordinance be adopted to-wit:

ORDINANCE NO. 1848, M-C SERIES

AN ORDINANCE AMENDING ORDINANCE NO. 1777, M-C SERIES TO SET FORTH WATER FEES CHARGED BY THE CITY.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that water fees for normal monthly service rendered by the City of Sulphur, Louisiana, shall be as follows:

WATER:

FLAT RATES

Commercial Inside	40.60	DHH Testing Fee	1.00
Commercial Outside	81.20	DHH Testing Fee	1.00
Church Inside	26.40	DHH Testing Fee	1.00
Church Outside	52.80	DHH Testing Fee	1.00
Multi Commercial Inside	40.60	DHH Testing Fee	1.00
Multi Family Inside	26.40	DHH Testing Fee	1.00
Multi Family Outside	52.80	DHH Testing Fee	1.00
Residential Inside	26.40	DHH Testing Fee	1.00
Residential Outside	52.80	DHH Testing Fee	1.00
Trailer Park Inside	26.40	DHH Testing Fee	1.00

Trailer Park Outside	52.80	DHH Testing Fee	1.00
Utility Assistance Inside	16.40	DHH Testing Fee	1.00
Utility Assistance Outside	42.80	DHH Testing Fee	1.00

METERED RATES

Commercial Water (WM) Minimum Charge \$40.60 (inside) & \$81.20 (outside):

	Inside	Outside
First 5,000 gallons used	Min Charge	Min Charge
Next 25,000 gallons used per 100 gal. (5,001 to 30,000)	.5802	1.1604
Next 70,000 gallons used per 100 gal. (30,001 to 100,000)	.4585	.9170
Next over 100,000 gallons used per 100 gal. (100,001 & up)	.3084	.6169

COMMERCIAL IRRIGATION (IM) Minimum Charge \$39.75 (inside) & \$79.50 (outside):

First 5,000 gallons used – Min charge (0 to 5,000)	Min Charge	Min Charge
Next 25,000 gallons used per 100 gal. (5,001 to 30,000)	.5802	1.1604
Next 70,000 gallons used per 100 gal. (30,001 to 100,000)	.4585	.9170
Next over 100,000 gallons used per 100 gal. (100,001 & up)	.3084	.6169

BE IT FURTHER ORDAINED that this Ordinance shall become effective July 1, 2023.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mrs. Abshire, Mrs. Thomas

NAYS: Mr. Nezat, Mrs. Hardy

ABSENT: None

And the said ordinance was declared duly adopted on this 8th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance setting forth sewer fees charged by the City of Sulphur. Motion was made by Mrs. Abshire seconded by Mrs. Hardy that the following ordinance be adopted to-wit:

ORDINANCE NO. 1849, MC, SERIES

AN ORDINANCE AMENDING ORDINANCE NO. 1778, M-C SERIES TO SET FORTH
SEWER FEES CHARGED BY THE CITY.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that sewer fees for normal monthly service rendered by the City of Sulphur, Louisiana, shall be as follows:

SEWER:

FLAT RATES

Commercial Inside	\$44.30
Commercial Outside	\$88.60
Church Inside	\$29.75
Church Outside	\$59.50
Multi Commercial Inside	\$44.30
Multi Family Inside	\$29.75
Multi Family Outside	\$59.50
Residential Inside	\$29.75
Residential Outside	\$59.50
Trailer Park Inside	\$29.75
Trailer Park Outside	\$59.50
Utility Assistance Inside	\$19.50
Utility Assistance Outside	\$49.25

METERED RATES

Commercial Sewer (SM) Minimum Charge \$44.30 (inside) & \$88.60 (outside)

	Inside	Outside
First 5,000 gallons used – Minimum charge (0 to 5,000)	Min Charge	Min Charge
Next 25,000 gallons used per 100 gal. (5,001 to 30,000)	.3221	.6442
Next 70,000 gallons used per 100 gal. (30,001 to 100,000)	.3923	.7847
Next over 100,000 gallons used per 100 gal. (100,001 & up)	.2640	.5281

BE IT FURTHER ORDAINED that this Ordinance shall become effective July 1, 2023.

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 8th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance setting forth garbage/trash collection fees charged by the City of Sulphur. Motion was made by Mrs. Abshire seconded by Mrs. Hardy that the following ordinance be adopted to-wit:

ORDINANCE NO. 1850, M-C SERIES

AN ORDINANCE AMENDING ORDINANCE NO. 1779, M-C SERIES TO SET FORTH GARBAGE/TRASH COLLECTION FEES CHARGED BY THE CITY.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that garbage-trash collection fees for normal services rendered by the City of Sulphur, Louisiana, shall be as follows:

GARBAGE-TRASH (SOLID WASTE)

\$21.25 Per Unit Per Month (A unit residential or service as defined in existing Contract)

BE IT FURTHER ORDAINED that this Ordinance shall become effective July 1, 2023.

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 8th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance amending Ordinance No. 1393, M-C Series, setting forth tie-in fees for water and sewer. Motion was made by Mrs. Abshire seconded by Mrs. Hardy that the following ordinance be adopted to-wit:

ORDINANCE NO. 1851, M-C SERIES

AN ORDINANCE AMENDING ORDINANCE NO. 1393, M-C SERIES, SETTING FORTH TIE-IN FEES FOR WATER AND SEWER CUSTOMERS INSIDE THE CORPORATE LIMITS OF THE CITY OF SULPHUR.

BE IT ORDAINED by the City Council of the City of Sulphur, the governing authority thereof, that the following fees apply for tie-ins for water and sewer customers inside the corporate limits of the City of Sulphur:

SECTION 1: Tie-in fees for water and sewer customers inside the corporate limits of the City of Sulphur:

**Minimum or actual cost of
Installation (whichever is
greater)**

- (a) Standard tap fees are assessed in cases where service is available and the tap can be installed without additional expenses incurred by the city for boring and/or cutting/repairing the street. The base tap fee below is the total amount due for a standard tap.**
- (b) Non-standard tap fees are assessed where service is available but additional expenses to provide the tap are incurred by the city for different tap sizes and/or boring and/or cutting the street. The customer is responsible for the additional costs plus 5% service charge for third party services.**

Water:

1" Residential Water Tap & Assembly	\$650.00
¾" Residential Water Tap & Assembly	\$600.00
¾" Residential Water Tap, Meter & Assembly	\$660.00
1" Commercial Water Tap, Meter & Assembly	\$805.00
2" Commercial Water Tap, Meter & Assembly	\$2,170.00

Sewer:

6" Residential Sewer Tap + \$15.00 Inspection Fee	\$800.00
6" Commercial Sewer Tap + \$15.00 Inspection Fee	\$800.00

BE IT FURTHER ORDAINED that this Ordinance shall become effective July 1, 2023.

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 8th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance amending Ordinance No. 1611, M-C Series, which established a program to assist low-income households in the payment of water, sewer, and garbage-trash collection fees charged by the City of Sulphur. Motion was made by Mrs. Abshire seconded by Mrs. Thomas that the following ordinance be adopted to-wit:

ORDINANCE NO. 1852, M-C SERIES

ORDINANCE AMENDING ORDINANCE NO. 1611, M-C SERIES WHICH ESTABLISHED A PROGRAM TO ASSIST LOW-INCOME HOUSEHOLDS IN THE PAYMENT OF WATER, SEWER, AND GARBAGE-TRASH COLLECTION FEES CHARGED BY THE CITY OF SULPHUR, LOUISIANA.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Ordinance No. 1611, M-C Series to read as follows:

BE IT FURTHER ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that a program to assist low-income households in the payment of water, sewer (wastewater), and garbage-trash (solid waste) collection fees charged by the City of Sulphur be and it is hereby established, the determination of eligibility for this assistance program to be in accordance with poverty guidelines established by the Federal Government and the State of Louisiana, and which assistance program will be subject to the following definitions and conditions, and also the following criteria for eligibility:

SECTION 1. DEFINITIONS:

- (a) Household means parents, their minor children, grandparents and a grandchild who is a minor and whose legal custody has been granted to a grandparent, all of whom reside in a housing unit as a family unit and for whom utilities are customarily purchased in common, or who make payments for utilities included in the rent;
- (b) Income means all non-exempt gross income received by members of the household on a regular or predictable basis during three (3) calendar months or all annualized non-exempt income received by members of a household on an irregular or fluctuating basis or moneys received into a home occupied by a household from any source whatsoever;
- (c) Housing Unit means a house, a stationary mobile home, an apartment or any unit used for billing purposes.

SECTION 2. ELIGIBILITY

- (a) Determination of eligibility for this assistance program will be in accordance with Department of Social Services established by the Federal government and the State of Louisiana.

SECTION 3. The amount of assistance granted each qualified applicant will be determined by (1) the number of qualified applicants and (2) the amount of the funds appropriated for this

program for the fiscal year, PROVIDED, HOWEVER, THAT THE AMOUNT OF ASSISTANCE SHALL NOT EXCEED \$23.25 PER QUALIFIED APPLICANT.

SECTION 4. Annual recertification of eligibility shall be required. Applications for said annual recertification shall be submitted by the 1st day of March each year.

SECTION 5. All changes in status affecting eligibility must be reported promptly to the office of the Mayor.

SECTION 6. Administration of this program will be the responsibility of the Mayor, through the Director of Finance.

SECTION 7. Confidentiality of all information provided to determine the eligibility will be maintained by the Office of the Mayor.

SECTION 8. This program is open to all persons regardless of race, color, age, religion, sex or national origin. No distinction shall be made between property owners or renters.

SECTION 9. Continuation of this assistance program is contingent upon the appropriation by the City Council of the City of Sulphur in the operating budget of the City of Sulphur each year.

SECTION 10. This assistance program shall only be provided for residential water, sewer, garbage/trash households located within the city limits of Sulphur.

BE IT FURTHER ORDAINED that this Ordinance shall become effective July 1, 2023.

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 8th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance amending Ordinance No. 1218, M-C Series which set forth a Capital Recovery fee charged by the City of Sulphur. Motion was made by Mrs. Abshire seconded by Mrs. Thomas that the following ordinance be adopted to-wit:

ORDINANCE NO. 1853, M-C SERIES

AN ORDINANCE AMENDING ORDINANCE NO. 1218, M-C SERIES WHICH SET FORTH A CAPITAL RECOVERY FEE CHARGED BY THE CITY.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that a Capital Recovery Fee for normal monthly water and sewer service rendered by the City of Sulphur, Louisiana, shall be as follows:

CAPITAL RECOVERY FEE

FLAT RATES

Commercial Inside	1.35
Commercial Outside	2.70
Church Inside	1.35
Church Outside	2.70
Multi Commercial Inside	1.35
Multi Family Inside	1.35
Multi Family Outside	2.70
Residential Inside	1.35
Residential Outside	2.70
Trailer Park Inside	1.35
Trailer Park Outside	2.70
Utility Assistance Inside	1.35
Utility Assistance Outside	2.70

BE IT FURTHER ORDAINED that this Ordinance shall become effective July 1, 2023.

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 8th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance granting a right-of-way and authorizing Mayor Mike Danahay to execute right of way with Entergy Louisiana, LLC, for property located on Invader Street. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be adopted to-wit:

ORDINANCE NO. 1854, M-C SERIES

ORDINANCE GRANTING A RIGHT OF WAY AND AUTHORIZING MAYOR MIKE DANAHAY TO EXECUTE RIGHT OF WAY WITH ENTERGY LOUISIANA, LLC, FOR PROPERTY LOCATED ON INVADER STREET.

WHEREAS, the City of Sulphur desires to grant a right of way to Entergy Louisiana, LLC, over or across Lots 15, 16, and 17 of Block 2 of Starlin Subdivision No. 2 to install, extend and maintain guy wires and anchors beyond the limits of said right of way under emergency circumstances, which guy wires and anchors shall be removed by Grantee as soon as practicable;

WHEREAS the property to be subjected to the right of way is described as set forth and shown on Exhibit A, attached hereto.

NOW, THEREFORE, BE IT ORDAINED that Mayor Mike Danahay is hereby authorized and empowered, in accordance with the Home Rule Charter, to execute said Right of Way.

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

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 8th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance declaring certain surplus movable property of the City of Sulphur and providing for the disposal thereof (Shop parts). Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be adopted to-wit:

ORDINANCE NO. 1855, M-C SERIES

AN ORDINANCE DECLARING CERTAIN SURPLUS MOVABLE PROPERTY OF THE CITY OF SULPHUR AND PROVIDING FOR THE DISPOSAL THEREOF (SHOP PARTS).

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

DEPT	TYPE	DESCRIPTION	MAKE	REASON	DATE	VALUE
SHOP/FIN	PARTS	OUTER AIR	CLARCOR	NOT IN USE	3/17/2023	\$95
SHOP/FIN	PARTS	FRONT/REAR	CARQUEST	NOT IN USE	3/17/2023	\$114.77
SHOP/FIN	PARTS	FRONT BRAKE	CARQUEST	NOT IN USE	3/17/2023	\$155.96
SHOP/FIN	PARTS	REAR BRAKE	CARQUEST	NOT IN USE	3/17/2023	\$85.89
SHOP/FIN	PARTS	FRONT BRAKE	WEAREVER	NOT IN USE	3/17/2023	\$85.39
SHOP/FIN	PARTS	FUEL FILTER	CARQUEST	NOT IN USE	3/17/2023	\$11.06
SHOP/FIN	PARTS	FUEL FILTER	CARQUEST	NOT IN USE	3/17/2023	\$24.47
SHOP/FIN	PARTS	FUEL FILTER	NAPA	NOT IN USE	3/17/2023	\$19.32
SHOP/FIN	PARTS	AIR FILTER	CARQUEST	NOT IN USE	3/17/2023	\$25.56
SHOP/FIN	PARTS	OIL FILTER	CARQUEST	NOT IN USE	3/17/2023	\$10.62
SHOP/FIN	PARTS	OIL FILTER	CARQUEST &	NOT IN USE	3/17/2023	\$14.95
SHOP/FIN	PARTS	OIL FILTER	CARQUEST	NOT IN USE	3/17/2023	\$20.52
SHOP/FIN	PARTS	FUEL FILTERS	CARQUEST &	NOT IN USE	3/17/2023	\$23.98
SHOP/FIN	PARTS	OIL FILTER	CARQUEST	NOT IN USE	3/17/2023	\$15.94
SHOP/FIN	PARTS	AIR FILTER	CARQUEST	NOT IN USE	3/17/2023	\$15.31
SHOP/FIN	PARTS	CABIN AIR	CARQUEST	NOT IN USE	3/17/2023	\$41.20
SHOP/FIN	PARTS	K18 WIPER	KLEEN VIEW	NOT IN USE	3/17/2023	\$30.36
SHOP/FIN	PARTS	K24 WIPER	KLEEN VIEW	NOT IN USE	3/17/2023	\$31.43
SHOP	PARTS	17" 98W LOAD RANGE SL EAGLE	GOODYEAR	NOT IN USE	3/17/2023	\$1040.47

BE IT FURTHER ORDAINED that Mayor Mike Danahay is authorized to dispose of the above-mentioned surplus movable property and to sign all paperwork in connection therewith.

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

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 8th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance amending Chapter 9, Section 21 of the Code of Ordinances of the City of Sulphur to adopt the International Fire Code. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be adopted to-wit:

ORDINANCE NO. 1856, M-C SERIES

ORDINANCE AMENDING CHAPTER 9-21 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR TO ADOPT THE 2021 INTERNATIONAL FIRE CODE.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Chapter 9-21 of the Code of Ordinances of the City of Sulphur to adopt the 2021 International Fire Code as follows:

Sec. 9-21. Adopted.

That a certain document, three (3) copies of which are on file with the Council Clerk of the City of Sulphur, being marked and designated as the International Fire Code, 2021 edition, including Appendix Chapters B, C and D (see International Fire Code Section 101.2.1, 2003 edition), as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Sulphur, in the State of Louisiana, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City of Sulphur are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance [the International Fire Code, 2006 edition].

BE IT FURTHER ORDAINED that all other paragraphs, subsections, clauses, phrases and words of this section, not specifically amended by this ordinance, are to remain the same.

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

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 8th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance amending Chapter 5, Section 21 of the Code of Ordinances of the City of Sulphur to adopt the 2021 International Building Code. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be adopted to-wit:

ORDINANCE NO. 1857, M-C SERIES

ORDINANCE AMENDING CHAPTER 5-21 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR TO ADOPT THE 2021 LOUISIANA STATE UNIFORM CONSTRUCTION CODE.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Chapter 5-21 of the Code of Ordinances of the City of Sulphur to adopt the 2021 Louisiana State Uniform Construction Code as follows:

Sec. 5-21. Uniform Construction Code adopted.

In accordance with the requirements set forth in R.S. 40:1730.28, effective January 1, 2023 (except the National Electric Code which is presently in effect), the following is hereby adopted as the Louisiana State Uniform Construction Code:

- (1) International Building Code (IBC), 2021 edition, not including Chapter 11, Accessibility, Chapter 27, Electrical. The applicable standards referenced in that code are included for regulation of construction within this city. Furthermore, IBC shall only apply to the International Building Code.
- (2) International Existing Building Code (IEBC), 2021 edition, and the standards referenced in that code for regulation of construction within this city.
- (3) International Residential Code, 2021 edition, not including Part VIII-Electrical. The applicable standards referenced in that code are included for regulation of construction within this city. The enforcement of such standards shall be mandatory only with respect to new construction, reconstruction, additions to homes previously built to the International Residential Code, and extensive alterations.
- (4) International Mechanical Code (IMC), 2021 edition, and the standards referenced in that code for regulation of construction within this city.
- (5) The International Plumbing Code, 2021 edition. The applicable standards referenced in that code are included for regulation of construction within this city. The enforcement of such standards shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within this jurisdiction. This code shall also regulate nonflammable medical gas, inhalation and anesthetic, vacuum piping, nonmedical oxygen systems and sanitary and condensate vacuum collections systems. The installation of fuel gas distribution piping and equipment, fuel-gas-fired water heaters and water heater venting systems shall be regulated by the International Fuel Gas Code.
- (6) International Fuel Gas Code (IFCG), 2021 edition, and the standards referenced in that code for regulation of construction within this city.
- (7) National Electric Code (NEC), 2020 edition. The standards referenced in that code for regulation of construction within this city.

BE IT FURTHER ORDAINED that all other paragraphs, subsections, clauses, phrases and words of this section, not specifically amended by this ordinance, are to remain the same.

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

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 8th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is an introduction of ordinance authorizing Mayor Danahay to sign the LA DOTD Maintenance Agreement for mowing and litter pickup for FY year ending June 30, 2024. Motion was made by Mrs. Abshire seconded by Mrs. Hardy that the following ordinance be introduced:

ORDINANCE AUTHORIZING MAYOR DANAHAAY TO SIGN THE LA DOTD
MAINTENANCE AGREEMENT FOR MOWING AND LITTER PICKUP FOR FY YEAR
ENDING JUNE 30, 2024.

Motion was then made by Mrs. Abshire 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 the "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:

ORDINANCE AUTHORIZING MAYOR DANAHAAY TO SIGN THE LA DOTD
MAINTENANCE AGREEMENT FOR MOWING AND LITTER PICKUP FOR FY YEAR
ENDING JUNE 30, 2024.

A public hearing on said ordinance will be held at 5:30 p.m. on the 12th day of June, 2023, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____
DRU ELLENDER, Chairman

Motion carried.

The next item on the agenda is an introduction of ordinance entering into a Cooperative Endeavor Agreement with the City of Westlake for salaries for the Marshal's office. Jennifer Thorn, Finance Director, stated that this will be for an additional deputy. Westlake's share will be \$25,000. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be introduced:

ORDINANCE ENTERING INTO A COOPERATIVE ENDEAVOR AGREEMENT WITH THE CITY OF WESTLAKE FOR SALARIES FOR THE MARSHAL'S OFFICE.

Motion was then made by Mrs. Hardy seconded by Mrs. Abshire 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 "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:

ORDINANCE ENTERING INTO A COOPERATIVE ENDEAVOR AGREEMENT WITH THE CITY OF WESTLAKE FOR SALARIES FOR THE MARSHAL'S OFFICE.

A public hearing on said ordinance will be held at 5:30 p.m. on the 12th day of June, 2023, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA
BY: _____
DRU ELLENDER, Chairman

Motion carried.

The next item on the agenda is a resolution awarding low bid received for Sulphur Regional Wastewater Treatment Facility Phase 2 SBR Process Improvements and Hurricane Laura Damage Repairs DR4559-LA FEMA CAT E-Construction. Motion was made by Mrs. Abshire seconded by Mrs. Hardy that the following resolution be adopted to-wit:

RESOLUTION NO. 3526, M-C SERIES

Resolution awarding low bid received for Sulphur Regional Wastewater Treatment Facility
Phase 2 SBR Process Improvements and Hurricane Laura Damage Repairs DR4559-LA FEMA
CAT E-Construction.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for Sulphur Regional Wastewater Treatment Facility Phase 2 SBR Process Improvements and Hurricane Laura Damage Repairs DR4559-LA FEMA CAT E-Construction were opened and read aloud in an open and public bid session on Tuesday, April 18, 2023, at 2:00 p.m. and bids were as follows:

<u>Contractor</u>	<u>Base Bid Amount</u>
Wharton-Smith, Inc.	\$6,996,000.00
The Lemoine Company, LLC	Non-Responsive
<i>**Engineer's Estimate</i>	<i>\$7,000,000.00</i>

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Mike Danahay and award the bid for Sulphur Regional Wastewater Treatment Facility Phase 2 SBR Process Improvements and Hurricane Laura Damage Repairs DR4559-LA FEMA CAT E-Construction as follows contingent upon receipt of the 10 Day Forms:

<u>Contractor</u>	<u>Base Bid Amount</u>
Wharton-Smith, Inc.	\$6,996,000.00

BE IT ALSO FURTHER 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. Nezat, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 8th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution ordering and calling tax renewal elections to be held in the City of Sulphur, Louisiana, on November 18, 2023, for the purpose of submitting to the electors residing in the city, two propositions, one to renew a special ad valorem of five mills for fire protection, and one to renew a

special ad valorem tax of five mills for street improvements. Mayor Danahay stated that this is only a renewal. It's not a new tax. Motion was made by Mrs. Abshire seconded by Mr. Nezat that the following resolution be adopted to-wit:

RESOLUTION NO. 3527, M-C SERIES

A RESOLUTION ORDERING AND CALLING TAX RENEWAL ELECTIONS TO BE HELD IN THE CITY OF SULPHUR, LOUISIANA, ON NOVEMBER 18, 2023, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS RESIDING IN THE CITY, TWO PROPOSITIONS, ONE TO RENEW A SPECIAL AD VALOREM TAX OF FIVE MILLS FOR FIRE PROTECTION, AND ONE TO RENEW A SPECIAL AD VALOREM TAX OF FIVE MILLS FOR STREET IMPROVEMENTS

WHEREAS, it is deemed necessary and desirable by the CITY COUNCIL that the tax of FIVE MILLS upon the PROPERTY SUBJECT TO AD VALOREM TAXATION in the City of Sulphur, Louisiana, for Fire Protection currently being levied and collected pursuant to a renewal election held April 6, 2013 for a period expiring December 31, 2024, to be renewed for a period not exceeding ten years from the renewed levy thereof commencing January 1, 2025.

WHEREAS, it is deemed necessary and desirable by the CITY COUNCIL that the tax of FIVE MILLS upon the PROPERTY SUBJECT TO AD VALOREM TAXATION in the City of Sulphur, Louisiana, for Street Improvements currently being levied and collected pursuant to a renewal election held April 6, 2013 for a period expiring December 31, 2024, to be renewed for a period not exceeding ten years from the renewed levy thereof commencing January 1, 2025.

WHEREAS, authority for the ad valorem election and for levy and collection of such taxes is granted by Article VI, Section 27(B) of the Constitution of 1974 of the State of Louisiana, and applicable provisions of the Louisiana Revised Statutes of 1950, as amended, and all other constitutional and statutory authority supplemental thereto; and

WHEREAS, the City Council desires to provide for holding an election at which propositions for the renewal and continued levy of such existing taxes, as described above, may be submitted;

NOW, THEREFORE, BE IT RESOLVED by the City Council, governing authority of the City of Sulphur.

SECTION 1. Subject to approval of the State Bond Commission, and under the authority conferred by Article VI, Section 27 of the Constitution of 1974 of the State of Louisiana, and Part III of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority supplemental thereto, a special election be and is hereby called and ordered to be held in the

City on **Saturday, the 18th day of November, 2023**, between the hours of seven (7:00) o'clock a.m. and eight (8:00) o'clock p.m., in compliance with the provisions of Title 18, including Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and that at said special election there be submitted to all the qualified electors of the Town entitled and qualified to vote at said election under the Constitution and laws of the United States, the following two propositions:

CITY OF SULPHUR RENEWAL PROPOSITIONS

CITY OF SULPHUR PROPOSITION NO. 1 – FIRE MILLAGE RENEWAL

Shall the City of Sulphur, Louisiana be authorized to renew, levy, and collect an existing tax each year for a period of ten (10) years, a special tax of five (5) mills on the dollar, beginning with and including the year 2025, on all property subject to taxation within the corporate limits of the City of Sulphur, Louisiana with collections from the levy of the tax estimated to be \$ \$1,058,824 for one entire year, for the purpose of purchasing additional equipment for, and enlarging and improving the present facilities of, the Fire Department of the City of Sulphur, Louisiana, for the maintenance of said equipment, improvements and facilities, and for salaries for the maintenance and operation of said department, constituting works of permanent public improvement, title to which shall be in the public?

CITY OF SULPHUR PROPOSITION NO. 2 – STREET MILLAGE RENEWAL

Shall the City of Sulphur, Louisiana be authorized to continue to renew, levy, and collect an existing tax each year for a period of ten (10) years a special tax of five (5) mills on the dollar, beginning with and including the year 2025, on all property subject to taxation within the corporate limits of the City of Sulphur, Louisiana with collections from the levy of the tax estimated to be \$ \$1,058,824 for one entire year, for the purpose of graveling, shelling, hard-surfacing, installation of culverts and drains, and otherwise improving the streets for the City of Sulphur, and for the maintenance thereof, constituting works of permanent public improvement, title to which shall be in the public?

SECTION 2. There shall be published notice of said election in the in the official journal of the City of Sulphur, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date fixed for the election, which notice shall be substantially in accordance with the Notice of Special Election annexed hereto as “Exhibit A” and incorporated herein by reference, the same as if it were set forth herein in full. The polling places set forth in the Notice shall be and are hereby designated as the polling places at which to hold such election.

SECTION 3. Officers designated or such substitutes as may be selected, designated and sworn in compliance with Sections 1286 through 1289 of Title 18 of the Louisiana Revised Statutes of 1950, as amended, shall hold the election substantially in accordance with the general election laws of the State of Louisiana, except that the election is called and shall be conducted, canvassed, and promulgated, and notice thereof given in accordance with the procedures set forth in Chapter 6- A of Title 18 of the Louisiana Revised Statutes of 1950, as amended. Said election officers shall make due returns of said election at a regular meeting of the City Council; to be held at its regular meeting place, 1551 E Napoleon St, Sulphur, LA 70663,

on **Monday, the 11th day of December 2023, at 5:30 o'clock p.m.**, at which time said City Council will, then and there, in open and public session, examine and canvass the returns and declare the result of said special election. The compensation of election officials be and the same is hereby fixed at the sum as specified in Section 426.1 of Title 18 of the Louisiana Revised Statutes of 1950, as amended. All qualified electors of the Town are entitled to vote in this election. Voting machines shall be used in this election, and voters shall not be required to sign a ballot or vote assessed valuation of property. The permanent registration law of the State of Louisiana being in force in the City, said election shall be conducted in accordance with applicable provisions thereof.

SECTION 4. The Chairman of the Council be and she is hereby empowered, authorized and directed to arrange for furnishing said election officers, in ample time for holding of said election the necessary equipment, forms and other election paraphernalia essential to the proper holding of said election.

SECTION 5. Application is hereby formally made to the State Bond Commission, Baton Rouge, Louisiana, in compliance with the requirements of Title 47 of the Louisiana Revised Statutes of 1950, as amended, and in compliance with Article VI, Section 27(B) of the Constitution of 1974 of the State of Louisiana, and other constitutional and statutory authority supplemental thereto, for consent, approval and authority to hold the aforesaid election in the City, and in the event such election carries, for consent and authority pursuant to Subpart F of Part III of Chapter 4 of Subtitle II of Title 39 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and all other constitutional and statutory authority supplemental thereto, to levy and collect the ad valorem taxes therein provided. The Clerk is empowered, authorized and requested to forward to the State Bond Commission a certified copy of this resolution which shall constitute a formal application to said Commission as herein provided.

SECTION 6. Certified copies of this Resolution shall be forwarded to the Secretary of State, the Clerk of Court and Ex-Officio Custodian of Voting Machines in and for the Parish of Calcasieu, and the Registrar of Voters, as notification of the special election herein called in order that each may prepare for said election and perform their respective functions as authorized and required by law.

SECTION 7. All resolutions, ordinances, or orders in conflict herewith, be, to the extent of such conflict, and they are hereby repealed.

**NOTICE TO VOTERS OF
SPECIAL AD VALOREM TAX ELECTIONS**

To the qualified electors of the City of Sulphur, Louisiana:

YOU ARE HEREBY NOTIFIED that on the 8th day of May, 2023, the City Council of Sulphur, Louisiana, acting as the governing authority of the City of Sulphur, Louisiana (the “City”), ordered that a special election be held in the City on Saturday, on the **18th day of November, 2023**, the for the purpose of submitting to all qualified electors of the City the following propositions:

CITY OF SULPHUR RENEWAL PROPOSITIONS

CITY OF SULPHUR PROPOSITION NO. 1 – FIRE MILLAGE RENEWAL

Shall the City of Sulphur, Louisiana be authorized to renew, levy, and collect an existing tax each year for a period of ten (10) years, a special tax of five (5) mills on the dollar, beginning with and including the year 2025, on all property subject to taxation within the corporate limits of the City of Sulphur, Louisiana with collections from the levy of the tax estimated to be \$ \$1,058,824 for one entire year, for the purpose of purchasing additional equipment for, and enlarging and improving the present facilities of, the Fire Department of the City of Sulphur, Louisiana, for the maintenance of said equipment, improvements and facilities, and for salaries for the maintenance and operation of said department, constituting works of permanent public improvement, title to which shall be in the public?

CITY OF SULPHUR PROPOSITION NO. 2 – STREET MILLAGE RENEWAL

Shall the City of Sulphur, Louisiana be authorized to continue to renew, levy, and collect an existing tax each year for a period of ten (10) years a special tax of five (5) mills on the dollar, beginning with and including the year 2025, on all property subject to taxation within the corporate limits of the City of Sulphur, Louisiana with collections from the levy of the tax estimated to be \$ \$1,058,824 for one entire year, for the purpose of graveling, shelling, hard-surfacing, installation of culverts and drains, and otherwise improving the streets for the City of Sulphur, and for the maintenance thereof, constituting works of permanent public improvement, title to which shall be in the public?

Said election will be held at all polling places which are situated within the boundaries of the City of Sulphur, Louisiana. All City resident registered voters in each of the following precincts shall be eligible to vote on the proposition:

**ONLY THOSE REGISTERED VOTERS IN THE FOLLOWING PRECINCTS WHO
RESIDE WITHIN THE BOUNDARIES OF THE CITY OF SULPHUR, LOUISIANA,
SHALL BE ELIGIBLE TO VOTE ON THE PROPOSITION:**

<u>PRECINCT</u>	<u>POLLING PLACE</u>
401	Calcasieu Parish Health Unit, Sulphur Branch, 201 Edgar Street, Sulphur
402	Frasch Park Recreation Center, 400 Picard Road, Sulphur
403	Frasch Elementary School, 540 South Huntington, Sulphur
407	R. W. Vincent Elementary School, 1634 Beglis Parkway, Sulphur
408	T. D. McMurry Park Gymnasium, 300 South Hazel Street, Maplewood

400 (Part)	D.S. Perkins Elementary School, 565 North Crocker Street, Sulphur
404 (Part)	R.W. Vincent Elementary School, 1634 Beglis Parkway, Sulphur
405 (Part)	Maplewood Elementary School, 4401 Maplewood Drive, Sulphur
406 (Part)	W.T. Henning Elementary School, 774 Henning Drive, Sulphur
461 (Part)	Rec Dist. 1 Multi-Purpose Complex, 1221 Sampson Street, Westlake
465 (Part)	Frasch Park Recreation Center, 400 Picard Road, Sulphur
466E (Part)	Cypress Cove Elementary School, 700 Currie Drive, Carlyss (Formerly located at Carlyss Fire Station, 5151 Volunteer Road, Carlyss)
467 (Part)	Cypress Cove Elementary School, 700 Currie Drive, Carlyss (Formerly located at Carlyss Fire Station, 5151 Volunteer Road, Carlyss)

The polls will be open at seven (7:00) o'clock a.m. and shall remain open until not later than eight (8:00) o'clock p.m. The said special election will be held substantially in accordance with the general election laws of the State of Louisiana, except that the election is called and shall be conducted, canvassed, and promulgated, and notice thereof given in accordance with the procedures set forth in Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended. The officials appointed to hold the election or such substitutes therefor as may be selected, designated and sworn in compliance with Sections 1286 through 1289 of Title 18 of the Louisiana Revised Statutes of 1950, as amended, will make due returns thereof to the City Council of Sulphur, Louisiana, governing authority of the City. Voting machines will be used in the conduct of the election. The cost of this election is estimated to be nineteen thousand dollars. All qualified electors of the City of Sulphur, Louisiana will be entitled to vote. No voter shall be required to sign a ballot or vote assessed valuation of property.

Notice is hereby given that on Monday, the **11th day of December, 2023 at 5:30 o'clock p.m.**, the City Council of the City of Sulphur, governing authority of the City of Sulphur, Louisiana, will meet in open and public session at the regular meeting place 1551 E. Napoleon St., Sulphur, LA 70663, Sulphur Louisiana, and will, then and there, examine and canvass the returns and declare the result of said election.

THUS DONE AND SIGNED in Sulphur, Louisiana, by authority of a Resolution adopted by the City Council of the City of Sulphur, acting as the governing authority of the City of Sulphur, Louisiana, on the 8th day of May, 2023.

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 8th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution authorizing Mayor Danahay to sign Quitclaim Deed between the City of Sulphur and Andrew John Drost, Jr., and Dorothy Kay Drost for a 15-foot strip of property in Rose

Park #5 (property to the east 2729 St. Francis Street). Motion was made by Mrs. Abshire seconded by Mrs. Hardy that the following resolution be adopted to-wit:

RESOLUTION NO. 3528, M-C SERIES

Resolution authorizing Mayor Danahay to sign Quitclaim Deed between the City of Sulphur and Andrew John Drost, Jr., and Dorothy Kay Drost for a 15-foot strip of property in Rose Park #5 (property to the east 2729 St. Francis Street).

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Danahay to sign Quitclaim Deed between the City of Sulphur and Andrew John Drost, Jr., and Dorothy Kay Drost for a 15-foot strip of property in Rose Park #5 (property to the east 2729 St. Francis Street).

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 8th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution accepting the Municipal Water Pollution Prevention Environmental Audit Report dated April 12, 2023. Motion was made by Mrs. Abshire seconded by Mrs. Hardy that the following resolution be adopted to-wit:

RESOLUTION NO. 3529, M-C SERIES

Resolution accepting the Municipal Water Pollution Prevention Environmental Audit Report dated April 12, 2023.

BE IT RESOLVED that the City of Sulphur informs the Louisiana Department of Environmental Quality that the following actions were taken by the City Council, the governing authority of the City of Sulphur, Louisiana:

1. Resolved the Municipal Water Pollution Prevention Environmental Audit Report which is attached to this resolution.

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 8th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is public to address Council. Cynthia Robertson, 624 West Verdine Street, addressed the Council about water quality and the city should be following higher standards that DHH bare minimum requirements. She also mentioned grants through IRA. Mrs. Thorn stated that the city has already applied for grants for this.

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

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

5/8/23

7:15 P.M.