
July 8, 2024

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 July 8, 2024, 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. Thomas.

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

Motion carried unanimously.

Motion was then made by Mrs. Abshire seconded by Mrs. Thomas that the agenda stand as written.

Motion carried unanimously.

The first item on the agenda is to ADOPT the millage rates for tax year 2024. Cade Cole, City Attorney read the ordinance in its entirety. The Chairman stated that the ordinance needed to be amended since the millages changed from introduction. Mrs. Thorn, Director of Finance, stated that the millages from last year were used in the ordinance. The Chairman then asked if anyone from the public had any comments. With no comments being made, motion was made by Mrs. Thomas seconded by Mrs. Abshire that the following amendment be made:

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- Change General Alimony from 5.85 to 5.84
 - Change Street and Fire from 5.30 to 5.29

A vote was then called with the results as follows:

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

NAYS: None

ABSTAINED: None

ABSENT: None

And the said amendment was made on this 8th day of July, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

The Chairman then asked if anyone from the public had any comments. With no comments being made, motion was made by Mrs. Abshire seconded by Mrs. Ellender that the following ordinance be adopted to-wit:

ORDINANCE NO. 1917, M-C SERIES AS AMENDED

ORDINANCE WHICH SETS FORTH THE GENERAL ALIMONY, STREET MAINTENANCE, AND FIRE MAINTENANCE AUTHORIZED MILLAGE RATES IN THE CITY OF SULPHUR FOR THE 2024 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 July 8, 2024, 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 2024 for the purpose of raising revenue:

<u>Tax Description:</u>	<u>Millage Rate(s):</u>
General Alimony (5096 001):	5.84 mills
Street Maintenance (5096 002):	5.29 mills
Fire Maintenance (5096 003):	5.29 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 2024, 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.

Motioned by: Mrs. Abshire

Seconded by: Mrs. Ellender

The foregoing ordinance was read in full; the roll was called on the adoption thereof, and the ordinance was adopted by the following votes:

A vote was then called with the results as follows:

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

NAYS: None

ABSTAINED: None

ABSENT: None

And the said ordinance was declared duly adopted on this 8th day of July, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

The next item on the agenda is a Proclamation to Big Brothers Big Sisters of SWLA. Mayor Danahay presented the Proclamation to Erin Davidson and Nick Nezat and thanked them for providing tremendous service to our area.

The next item on the agenda is a public hearing on ordinance repealing Ordinance No. 859, M-C Series, that rezoned property located at 1000 Lafargue Street from Mixed Residential to Commercial and authorize the rezone to Business. Pastor Shawn addressed the Council and stated that they rented the warehouse for ministry for kids that don't go to church. They're changing from an LLC to a 501C3. The architect is working with the Fire Marshal. They also do work with SC3. They help with disaster relief, drug addition, etc. (Building will be used as a gym also). After discussion, motion was made by Mrs. Abshire seconded by Mrs. Thomas that the following ordinance be adopted to-wit:

ORDINANCE NO. 1918, M-C SERIES

ORDINANCE REPEALING ORDINANCE NO. 859, M-C SERIES, THAT REZONED
PROPERTY LOCATED AT 1000 LAFARGUE STREET FROM MIXED
RESIDENTIAL TO COMMERCIAL AND AUTHORIZE THE REZONE TO
BUSINESS.

WHEREAS, on June 9, 2008, the City Council adopted Ordinance No. 859, M-C Series, which granted a rezone from Mixed Residential to Commercial for 1000 Lafargue Street; and

WHEREAS, property owner is requesting that said property be rezoned to Business and is contingent upon adequate parking consistent with the current use of Carl Vincent's lot (NW corner of Foreman Avenue and South Huntington Street).

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby repeal Ordinance No. 859, M- C Series that was adopted on June 9, 2008, which rezoned 1000 Lafargue Street from Mixed Residential to Commercial and authorize said property to be rezoned to Business and is contingent upon adequate parking consistent with the current use of Carl Vincent's lot (NW corner of Foreman Avenue and South Huntington 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 ordinance was declared duly adopted on this 8th day of July, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

The next item on the agenda is a public hearing on ordinance granting a rezone from Mixed Residential to Business to Carl Vincent, 120 Avenue B. Motion was made by Mrs. Thomas seconded by Mrs. Abshire that the following ordinance be adopted to-wit:

ORDINANCE NO. 1919, M-C SERIES

ORDINANCE GRANTING A REZONE TO CARL VINCENT, 120 AVENUE B,
FROM MIXED RESIDENTIAL TO BUSINESS.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby grant a rezone to Carl Vincent, 120 Avenue B, from Mixed Residential to Business for the following described property:

COM SW COR BLK 3 JT HENNING ADD TH N 59 FT E 109 FT ETC

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 Carl Vincent, 120 Avenue B, from Mixed Residential to Business.

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 July, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

The next item on the agenda is a public hearing on ordinance granting a rezone from Mixed Residential to Business to Carl Vincent, lot located on the northwest corner of Avenue B and South Huntington Street. Motion was made by Mrs. Hardy seconded by Mrs. Thomas that the following ordinance be adopted to-wit:

ORDINANCE NO. 1920, M-C SERIES

ORDINANCE GRANTING A REZONE TO CARL VINCENT, PROPERTY
LOCATED ON THE NORTHWEST CORNER OF AVENUE B AND SOUTH
HUNTINGTON STREET FROM MIXED RESIDENTIAL TO BUSINESS.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby grant a rezone to Carl Vincent, property located on the northwest corner of Avenue B and South Huntington Street from Mixed Residential to Business for the following described property:

E 100 FT OF S 59 FT BLK 3 JT HENNING SUB DESC AS – COM SE COR LOT OF
LEO DOMINGUE IN BLK 3 JT HENNING ADD S 59 FT W 100 FT ETC.

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 Carl Vincent, property located on the northwest corner of Avenue B and South Huntington Street from Mixed Residential to Business.

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 July, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

The next item on the agenda is a public hearing on ordinance authorizing Mayor Mike Danahay to donate sound equipment to Calcasieu Parish School Board for Maplewood Middle School. Mayor Danahay stated that this was placed on GovDeals and no one wanted it. Motion was made by Mrs. Abshire seconded by Mrs. Thomas that the following ordinance be adopted to-wit:

ORDINANCE NO. 1921, M-C SERIES

ORDINANCE AUTHORIZING THE DONATION OF SOUND EQUIPMENT TO
CALCASIEU PARISH SCHOOL BOARD FOR MAPLEWOOD MIDDLE SCHOOL.

WHEREAS, the City Council declared the sound equipment as surplus on May 13, 2024 and is no longer needed by the City.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Mike Danahay to donate sound equipment to Calcasieu Parish School Board to Maplewood Middle School.

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

A vote was then called with the results as follows:

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

And the said ordinance was declared duly adopted on this 8th day of July, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

The next item on the agenda is a public hearing on ordinance authorizing Mayor Danahay to sign buy/sell agreement with Carl and Mary Hardy for property located at 4114 and 4118 Maplewood Drive. Byron Racca, with Meyer and Associates, stated that they started talking about replacing this bridge in 2010. Funds for this project were used on the Lightening Street bridge. The bridge elevation is at 6 and should be at 9. Parcels adjacent to the bridge need to tie into this elevation also. Since Laura and Delta hurricanes the bridge needs replacing now. The bridge will be widened to 3 lanes. They'll have to look at nearby interchanges when they discuss diverted traffic. The diverted traffic will be similar to Maplewood Drive Phase 1 for the bridge. They'll also have to look at school traffic, emergency traffic and neighborhood traffic. They are in the design stage now. These acquisitions are part of the plan. When widening the road, they'll look at traffic movement to the east and west. The transition will probably stop at Center Circle. A distance of 40 feet will be needed including a sidewalk. This project will be similar to the bridge on Currie Drive. After discussion, motion was made by Mrs. Abshire seconded by Mrs. Thomas that the following ordinance be adopted to-wit:

ORDINANCE NO. 1922, M-C SERIES

ORDINANCE AUTHORIZING MAYOR DANAHAY TO SIGN BUY/SELL AGREEMENT WITH CARL AND MARY HARDY FOR PROPERTY LOCATED AT 4114 AND 4118 MAPLEWOOD DRIVE.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Mike Danahay to enter into a buy/sell agreement with Carl and Mary Hardy for property bearing municipal address of 4114 and 4118 Maplewood Drive, Sulphur, Louisiana is more fully described as follows, to-wit:

THAT CERTAIN TRACT OR PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER (SE/4) OF SECTION 31, TOWNSHIP 9 SOUTH, RANGE 9 WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF HIGHWAY 108 AND MAPLEWOOD DRIVE; THENCE NORTH

89°10'00" EAST A DISTANCE OF 346.51 FEET ALONG THE CENTERLINE OF SAID MAPLEWOOD DRIVE; THENCE NORTH 00°29'07" WEST A DISTANCE OF 40.00 FEET TO THE NORTH RIGHT OF WAY LINE OF MAPLEWOOD DRIVE AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°29'07" WEST A DISTANCE OF 171.65 FEET MORE OR LESS TO THE WEST BANK OF MAPLE FORK; THENCE MEANDERING SOUTHEASTERLY ALONG THE SAID WEST BANK OF MAPLE FORK A DISTANCE OF 228.20 FEET MORE OR LESS TO THE NORTH RIGHT OF WAY OF SAID MAPLEWOOD DRIVE; THENCE SOUTH 89°10'00" WEST ALONG THE NORTH RIGHT OF WAY OF SAID MAPLEWOOD DRIVE A DISTANCE OF 148.78 FEET, MORE OF LESS TO THE POINT OF BEGINNING.

BE IT FURTHER ORDAINED that said property shall not exceed appraised value of three hundred twenty thousand dollars (\$320,000.00)

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, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: Mr. Nezat

ABSENT: None

And the said ordinance was declared duly adopted on this 8th day of July, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

The next item on the agenda is a public hearing on ordinance authorizing the acquisition of property from Carl and Mary Hardy for property located at 4114 and 4118 Maplewood Drive, appropriating funds for the purchase, and setting a public hearing date on said ordinance. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be adopted to-wit:

ORDINANCE NO. 1923, M-C SERIES

ORDINANCE AUTHORIZING THE ACQUISITION OF PROPERTY FROM CARL AND MARY HARDY FOR PROPERTY LOCATED AT 4114 AND 4118 MAPLEWOOD DRIVE, APPROPRIATING FUNDS FOR THE PURCHASE, AND SETTING A PUBLIC HEARING DATE ON SAID ORDINANCE.

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

WHEREAS, the City of Sulphur desires to purchase property from Carl and Mary Hardy (hereinafter referred to as the “Seller”) for property located at 4114 and 4118 Maplewood Drive; and

WHEREAS, the sale price shall be three hundred twenty thousand dollars (\$320,000.00); and

WHEREAS, sale includes a 2,681 sq. ft. office/warehouse facility which is zoned residential and in a designated floodway; and

WHEREAS, the property bearing municipal address of 4114 and 4118 Maplewood Drive, Sulphur, Louisiana is more fully described as follows, to-wit:

THAT CERTAIN TRACT OR PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER (SE/4) OF SECTION 31, TOWNSHIP 9 SOUTH, RANGE 9 WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF HIGHWAY 108 AND MAPLEWOOD DRIVE; THENCE NORTH 89°10'00” EAST A DISTANCE OF 346.51 FEET ALONG THE CENTERLINE OF SAID MAPLEWOOD DRIVE; THENCE NORTH 00°29'07” WEST A DISTANCE OF 40.00 FEET TO THE NORTH RIGHT OF WAY LINE OF MAPLEWOOD DRIVE AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°29'07” WEST A DISTANCE OF 171.65 FEET MORE OR LESS TO THE WEST BANK OF MAPLE FORK; THENCE MEANDERING SOUTHEASTERLY ALONG THE SAID WEST BANK OF MAPLE FORK A DISTANCE OF 228.20 FEET MORE OR LESS TO THE NORTH RIGHT OF WAY OF SAID MAPLEWOOD DRIVE; THENCE SOUTH 89°10'00” WEST ALONG THE NORTH RIGHT OF WAY OF SAID MAPLEWOOD DRIVE A DISTANCE OF 148.78 FEET, MORE OF LESS TO THE POINT OF BEGINNING.

BE IT FURTHER ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that Mayor Danahay is hereby authorized and empowered to purchase said property described above, that he is authorized and directed to execute the original warranty deed / Act of Cash Sale between the City of Sulphur and the Seller for the sum of three hundred twenty thousand dollars (\$320,000.00); that it does hereby appropriate that sum for the aforesaid purchase; and that it does set a public hearing on this ordinance at its regular meeting at 5:30 p.m. on July 8, 2024.

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, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: Mr. Nezat

ABSENT: None

And the said ordinance was declared duly adopted on this 8th day of July, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, 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 (802 South Ruth Street house, generator). Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be adopted to-wit:

ORDINANCE NO. 1924, M-C SERIES

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

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	YEAR	MAKE	MODE	SERIAL	REASON	DATE	ESTIMATED VALUE
FIRE	EQUIP	KOHLER GENERATOR	2000	KOHLER	180RZ	606429	NOT IN USE	5/21/24	\$1200
FINANCE	BLD	802 S. RUTH ST(HOME TO BE MOVED)	1940	N/A	N/A	N/A	VACANT	5/28/2024	\$1000

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 July, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

The next item on the agenda is a public hearing on ordinance amending Chapter 17, Article II of the Code of Ordinances of the City of Sulphur, Louisiana – Utility Use or Right of Way Regulations.

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

ORDINANCE NO. 1925, M-C SERIES

ORDINANCE AMENDING CHAPTER 17, ARTICLE II OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR, LOUISIANA – UTILITY USE OR RIGHT OF WAY REGULATIONS.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby amend Chapter 17, Article II of the Code of Ordinances of the City of Sulphur to read as follows:

ARTICLE II. UTILITY USE OR RIGHT-OF-WAY REGULATIONS

Sec. 17-16. Permit—Required; display; fee.

Before any person shall be allowed to use the city streets, roads, sidewalks, lanes, alleys, avenues or rights-of-way for the purpose of traversing or crossing the same with any oil, gas, water, sewerage or other pipe line, communication line or other similar line, or for the purpose of installing any supply or communication lines, pipe lines or other similar lines on, across or under the same, or for any other lawful purpose, he shall secure a permit from the City of Sulphur through the Public Works Department. Said permit must be kept on site at all times during the installation or other operations being performed. The fee for said permit shall be \$150.00. In addition to the permit fee, there may be charged:

- a) An inspection fee commensurate with all total costs incurred by more than two inspections required of the permitted work, said inspections to be made by the public works department of the City of Sulphur; and/or
- b) A per linear foot fee for use of the city right-of-way as provided further herein. The maximum number of city blocks on any single permit shall be no more than five city blocks.

Sec. 17-17. Same—Application form.

The form of the application and permit required by this article shall be in the following language:

"STATE OF LOUISIANA
PARISH OF CALCASIEU

CITY OF SULPHUR
DEPARTMENT OF PUBLIC WORKS
UTILITY/ROW AGREEMENT

Permit No. _____

(Name of Applicant)

hereinafter termed the applicant, requests permission and authority to construct, operate, and maintain the following described project: _____

in the right-of-way of City Street or Public Road in the City of Sulphur, Louisiana, located as follows:

The Applicant will be subcontracting the work to: _____

(Name, Address, Phone # of Subcontractor)

subject to the following restrictions:

1. That the rights and privileges granted herein shall be nonexclusive.
2. That all fixtures and appurtenances thereto, after having been erected, shall at all times be subject to inspection and the right is reserved to require such changes, additions, repairs and relocations to be made as may at any time be considered necessary to permit the relocation, reconstruction, widening, improving and maintaining of the street, public road, water or wastewater utility, or drainage and to provide proper and safe protection to life and property on or adjacent to the street or public road, or in the interest of safety to traffic on the street or public road, and that the cost of making such changes, additions, repairs and relocations shall be borne by the applicant.
3. That the proposed facilities or their operation or their maintenance shall not unreasonably interfere with the facilities or the operation or maintenance of the facilities of other persons, firms or corporations previously issued permits of use and occupancy, and that the proposed facilities shall not be dangerous to persons or property using or occupying the street or public road or using facilities constructed under previously granted permits of use and occupancy.
4. That clearance, types of construction and other specifications shall be in accordance with the provisions of the National Safety Code for supply and communication lines, and for all other facilities, and shall be in accordance with accepted standard practice.
5. That data relative to the proposed location, relocation and design of fixtures or appurtenances as may be required by the Director of Public Works shall be furnished to the Director of Public Works by the applicant free of cost, and that the applicant shall make any and all changes or additions necessary to make the proposed fixtures and appurtenances thereto satisfactory to the Director of Public Works.
6. That the felling or trimming of trees and shrubs on the street or public road right-of-way is expressly prohibited unless authorized by the Public Works Director
7. That the applicant agrees to hold harmless the City of Sulphur and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of this permit.

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8. That the standards for installations or construction on streets or public roads that are printed on this form shall be strictly adhered to and that if none of these apply, such standards and specifications as do apply shall be attached to and become a part of the application for permit and the amount of guarantee deposit required to ensure the satisfactory completion of the work shall be fixed by the Director of Public Works.
 9. *Written notification requirements.* Written notification shall include, but not be limited to, the following information:
 - a. Company name;
 - b. Subcontractor, if applicable;
 - c. City street name;
 - d. Location of work;
 - e. Date work to be done;
 - f. Description of work to be done;
 - g. Estimated completion date, if requested; and
 - h. Emergency contact in the event of disruption of existing services or property damage.

This permit is hereby accepted, and its provisions agreed to this _____ day of _____, 20____.

(Signed) _____

(Owner)

Address: _____

Point of Contact: _____

Phone #: _____

*Amount of guarantee deposit accompanying application: \$*_____

Permit granted this _____ day of _____, 20____, subject to the following conditions:

1. Prior to performing any excavations, the applicant is required to call Louisiana One, if applicable and obtain approvals from the Louisiana Department of Transportation and Development (LA DOTD), if required, prior to starting construction on project.
2. Work must commence within two weeks of issuance of this permit. All improvements must be placed back to the original condition in accordance with Chapter 18, Article IV of the Code of Ordinances.
3. Other: _____

City of Sulphur, Louisiana

By: _____

City of Sulphur, Louisiana

By: _____

Notify the Director of Public Works or their designee at least two days before the actual construction will start, in order that he may have a representative on the ground to see that work is done in accordance with the Code of Ordinances of the City of Sulphur." One week notice is required for any roadwork that will result in lane or road closures.

Sec. 17-18. General Requirements and Information

- (a) Boring and Construction Work in right-of-way
 - (1) Prior to boring, the contractor is required to pothole, expose, and identify any and all city owned water, wastewater, and drainage infrastructure within the boring area.
 - (2) If a city owned water, wastewater, or drainage line is hit, the contractor shall remain on site, contact Public Works water, wastewater, or streets division immediately and excavate the area to assist in a timely repair.
 - (3) All boring work shall be a minimum of 48 inches from water and wastewater lines unless accepted in writing by the City.
 - (4) A single point of contact for the boring or construction company must be provided during the permitting process. A single point of contact shall be provided for the utility provider of the installed infrastructure.
 - (5) All contractor vehicles shall have identifying information on their vehicle, and if they are a subcontractor they must also have the name of the utility provider.
 - (6) For work that will involve one city block or more, the contractor is required to provide fliers to each homeowner affected with clear information including company name, contact number for complaints or questions, timeline of the work being performed, and what work will be taking place. Any signs used for notification must be removed once work is complete.
 - (7) If water from a hydrant is needed to perform work, a hydrant meter is required, and the city water division shall be notified of hydrant being used. Companies found to be working without hydrant meters will have all current permits revoked and could face fines.
 - (8) If multiple utilities will be utilizing the same right-of-way for the same type of work, the utilities shall coordinate with each other to provide conduit for future utilities.
 - (9) Unless an emergency, or approved in writing by Public Works, construction days and hours for right-of-way work shall be limited to 7am-5pm Monday thru Friday.
 - (10) All work in City right-of-way shall conform with Stormwater Quality Management and Discharge Control as outlined in Chapter 24 of the City Code of Ordinances and permits.
 - (11) Should any private utility be found within conflict of a City owned utility in a City right-of-way during an emergency repair, if not relocated immediately, the City shall be allowed to remove the private utility in conflict if it does not pose an imminent threat to public safety. The City shall not be liable for any damages that occur to the private utility during the course of City work that is to repair public infrastructure.
 - (12) The City shall be allowed to impose additional requirements and regulations as needed in Downtown Sulphur and Historic Districts or any other area deemed sensitive by the Director of Public Works.
 - (13) Anyone found in noncompliance may have current work permits revoked until such time that mutually agreed upon compliance is reached.
 - (13) No utility cuts shall be allowed on roadways that have been rehabilitated or rebuilt within five years of completion unless approved by the Director of Public Works.

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- (14) Unused aerial lines shall be removed from poles or within city right of way within two weeks of being removed or disconnected from aerial service. Utility providers that leave unused lines in the city right of way for longer than two weeks shall be imposed fines of \$250 per incident per day.
- (15) The application may include, but is not limited to, the following information: a written request for permission to enter the right-of-way, including the purpose of the request; ownership information; right-of-way dedication; wetlands determination and/or wetlands permit from the U.S. Corps of Engineers and other respective environmental agencies; a site plan of applicant's property with relationship to the proposed structure or structures and the city road right-of-way and any other servitudes, both public and private.
- (16) The city is also empowered to impose and assess certain requirements, including, but not limited to, additional right-of-way dedication or donation; creation of additional servitudes; hold harmless/indemnity agreements; proof of liability insurance; proof of the city named as an additional-named insured; letters of credit; proof of performance bonding; maintenance agreements; responsibility for costs of relocation of utilities; engineering services; permits; and the like.
- (17) New above ground utility housing structures are not allowed without prior approval from the Director of Public Works. If above ground utility housing structures are approved, they must be placed in an inconspicuous location, preferably near an adjacent property line. The Director of Public Works reserves the right to determine the location of any above ground infrastructure.
- a. If existing above ground housing structures become damaged or need replacement, they are to be replaced with at grade housing structures and moved to an inconspicuous location, preferable near an adjacent property line. The Director of Public Works reserves the right to determine the location of any above ground infrastructure.
- (18) The installation and placement of the utility structure shall not obstruct the sight line of a vehicle attempting to enter or exit a road from an intersecting road or a private driveway and shall not otherwise interfere with the safe movement of traffic on such road or at such intersection.
- (19) Should advances in technology permit the use of utility equipment in a smaller utility cabinet/structure, the larger cabinet/structure is to be replaced with a smaller cabinet/structure whenever the equipment being housed in the larger cabinet/structure is to be replaced with the more advanced equipment that can be housed in a smaller cabinet/structure. If the equipment ceases to be used for the purposes for which it was installed, the equipment and structure, including foundation, shall be promptly removed, and the right-of-way restored to the condition of the surrounding area of the right-of-way, at the expense of the utility company responsible for its installation or its successor. All new utilities shall be installed with the ability to be traced with tracer wire, GPS, or similar technology. All markers shall be placed at two hundred (200) feet intervals.
- (20) The utility company shall provide the name and contact information for the person designated by the utility company to oversee the maintenance of the perimeter areas around the utility structures. The information shall be provided to the department of public works and the utility company shall ensure that the name and contact information is kept current. If a maintenance complaint is received by the utility contact person, either from an employee of the city or a resident, the utility contact person shall provide a written disposition of the complaint, within fifteen (15) days, to the complainant and to the office of code enforcement.
- (21) Pre-construction meetings may be required at the discretion of the Director of Public Works or the Operations Manager for the City.
- (b) Landscaping Work in right-of-way
- (1) All landscaping shall be infrastructure friendly and not interfere with the function of any City infrastructure.
- (2) Landscaping in a public right-of-way is subject to removal should it be necessary to access City infrastructure. The City will not be responsible for repair or replacement of anything placed in the right-of-way if damaged or removed during the course of city work.
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- (3) All landscaping shall be in accordance with City of Sulphur Planning Codes and Ordinances and subject to approval by the Public Works Department Utility Divisions.
 - (4) All work in City right-of-way shall conform with Stormwater Quality Management and Discharge Control as outline in Chapter 24 of the City Code of Ordinances and permits.
 - (5) Anyone found in significant noncompliance may or shall have current work permits revoked until such time that mutually agreed upon compliance is reached.
 - (6) The installation and placement of landscaping shall not obstruct the sight line of a vehicle attempting to enter or exit a road from an intersecting road or a private driveway and shall not otherwise interfere with the safe movement of traffic on such road or at such intersection.
 - (7) Pre-construction meetings may be required at the discretion of the Director of Public Works or the Utility Manager for the City.

Sec. 17-19. Escrow—Required; maximum.

A guarantee escrow deposit to ensure the satisfactory completion of the permitted work, and future repairs shall accompany application for a permit under this article. This deposit shall be in the form of a certified check made payable to the City and the amount thereof shall be calculated in accordance with the schedules provided in this article. Such amount shall, in no case, exceed \$50,000.00. This guarantee deposit amount shall be required for all work within City right-of-way with the exception of landscaping or aerial supply and aerial communication lines.

Length of Total Infrastructure	Amount of Deposit
100 miles or more	\$50,000
25-99 miles	\$22,500
Less than 25 miles	\$5,000

Sec. 17-20. Same—Aerial Supply and communication lines.

The amount of the guarantee deposit required to accompany an application for a permit to install aerial supply and communication lines on public roads and rights-of-way, where allowed, in the City shall be as follows:

Amount Description of Deposit

- (a) \$500

Sec. 17-21. Same - Landscaping

A guarantee deposit required to accompany an application for a permit to install landscaping within City right-of-way shall be \$200.

Sec. 17-22. Same—Additional deposit.

In the event the deductions from the guarantee or escrow deposit provided for in section 17-35 of this Code exceed 50 percent of the total amount deposited, no additional permits shall be issued unless and until the permittee deposits an additional sum to bring the guarantee deposit up to the amount originally required in the application.

Sec. 17-22. Same—Additional deposit.

In the event the deductions from the guarantee or escrow deposit provided for in section 18-65 of this Code exceed 50 percent of the total amount deposited, the permits issued under this article shall automatically terminate unless and until the permittee deposits an additional sum to bring the guarantee deposit up to the amount originally required in the application.

Sec. 17-23. Same—Refund.

The guarantee deposit required by this article shall be refunded promptly upon receipt of notice from the director of public works that the work, including restoration, has been satisfactorily completed.

Sec. 17-24. Materials and workmanship; conformance to standard practices.

All materials and workmanship employed in doing work under a permit provided for in this article shall conform to accepted standard practices.

Sec. 17-25. Safety precautions.

All safety precautions for the protection of the traveling public must be observed in making installations under a permit granted under this article.

Sec. 17-26. Fittings not to be installed within side ditches.

In doing work under a permit provided for in this article, protruding valves and other fittings shall not be installed at any point within side ditches of streets or public roads.

Sec. 17-27. Delay of traffic.

The undue delay of traffic by persons performing work under a permit provided for in this article shall not be permitted without written permission from the Public Works Streets Division. All closures of lanes and roadways are required to submit a road closure request form to the Public Works Streets Division. Failure to submit a road closure request form or receive permission from the Public Works Streets Division could result in a fine of \$250 per incident per day.

Sec. 17-28. Location, earth cover clearance, etc.—Lines paralleling street.

Pipelines and underground communication or supply lines which parallel the street or road shall:

- (a) Be located at the farthest extent of the right of way or utility servitude two feet or less, and beyond the back of the ditch if applicable. Written approval is required by public works department for the utility to occupy outside of the last two feet of the right of way.
- (b) Have a minimum earth cover of 18 inches.
- (c) Have a minimum clearance of 18 inches below existing or proposed drainage structures.

Sec. 17-29. Same—Lines crossing street.

Pipelines and underground communication and supply lines shall conform to the following requirements:

- (a) The lines shall have an earth cover of not less than 24 inches below the flow line of side ditches.
- (b) Crossings shall be made at as nearly right angles to the street or public road as possible. No existing drainage structure under the street or public road may be used for this purpose.
- (c) Construction methods used shall be in accordance with the following requirements:

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- (1) During construction, suitable barriers shall be erected on the shoulders and proper precautions taken to prevent accidents and delay to traffic.
 - (2) Casings or pipelines may be laid by the open-cut method.
 - (3) During construction, $\frac{1}{2}$ of the road shall be cut and bridged and then the other half cut and bridged. The permittee shall make provisions for flaggers to direct traffic and to supply warning signs, flags, and lights.
 - (i) One week notice is required for any roadwork that will result in lane or road closures without written permission from the public works department.

Sec. 17-30. Same—Minimum vertical clearance for Aerial supply and communication lines.

Supply and communication lines crossing the street or public road shall have a minimum vertical clearance of 20 feet. Where supply or communication lines are placed underground in a casing or conduit the standards for pipelines shall also govern.

Sec. 17-31. Excavations—Method of cutting pavement.

When portions of existing streets, sidewalks, avenues, lanes, alleys, or rights-of-way are to be removed, the areas in which said concrete is to be removed will be marked out by the director of public works. The boundaries thus established shall be cut in a straight line with a concrete saw to a depth of at least eight inches or full depth. The portion of the street, sidewalk, avenue, lane, alley, or right-of-way to be removed shall be taken out in such a manner as to leave an even edge without chips or breaks on the remaining concrete. Cutting of the boundary line with picks or pneumatic pavement breakers will not be permitted. If, for any reason, the concrete does not break on the line marked by the director of public works, the permittee shall saw out the broken portion and new concrete shall be placed in this area. Pavement saws need not be used for the removal of bituminous pavement; however, such pavement shall be cut to clean straight edges.

Sec. 17-32. Same—Restoration generally.

It shall be the duty of the holder of a permit under this article to restore the street, sidewalk, avenue, lane, alley or right-of-way to its original condition within thirty days and such restoration shall be done in a good and workmanlike manner and to the satisfaction of the director of public works. Any time extension requires the written prior approval of the director of public works. All temporary road patches shall be monitored and kept in good condition until such a time the permanent repair can be made.

Sec. 17-33. Same—Backfilling.

All excavations made in installing underground utility lines under a permit provided for in this article and within the limits of the right-of-way shall be backfilled and tamped in six-inch layers. Where sod is removed or destroyed, it shall be replaced. Where it is necessary to make excavations in the shoulders, the top six inches of the backfill shall be sand, clay, gravel or the equivalent; provided, all repairs to streets or sidewalks, made under a permit provided for in this article, must be performed by a licensed, bonded contractor who is qualified to perform paving work on the streets of the city and the qualifications of said contractor must meet the approval of the director of public works.

Sec. 17-34. Same—Restoring surfacing.

In cases where the street or public road is cut, the surfacing, which shall be protected from mixture with other materials, shall be replaced in as good condition as previous, after the trench has been backfilled and tamped in six-inch layers. If additional surfacing material is necessary to restore the road to its original condition, it shall be furnished and placed by the permittee.

Sec. 17-35. Same—Failure to restore to original condition.

In the event of the refusal or neglect by any permittee to make the restoration and repairs required herein in not less than two days and not more than ten days from the date he is notified by the director of public works so to do, the director of public works shall cause the repairs necessary to restore the proper grade and original condition of the street, sidewalk, avenue, lane, alley or right-of-way to be made and the cost of such repair shall be deducted from the guarantee deposit or escrow made by the permittee.

Sec. 17-36. Grade crossings required.

All companies, corporations, associations and partnerships operating railroad lines within the City of Sulphur, Louisiana are hereby required to have grade crossings installed wherever their tracks cross streets or highways in the City of Sulphur, Louisiana.

For the purpose of complying with the above, grade crossings are required to comply with AREMA or Louisiana Department of Transportation Standards for Rail Crossings.

Sec. 17-37. Deposit required.

Before any person shall be allowed to use the city streets, roadways, sidewalks, lanes, alleys, avenues or rights of way for the purpose of installing and/or removing railroad tracks, ties, or other appurtenances thereto, said person must first secure a permit as provided in section 17-16 and comply with all other provisions of Article II, Chapter 17; provided, however, that the amount of guarantee deposit in connection with the permit for the laying and/or removal of railroad tracks, ties, or other appurtenances thereto, shall be \$25.00 per foot.

Sec. 17-38. Violations and Penalties

Unless otherwise stated in this Article, violations of these sections shall constitute a misdemeanor punishable as follows:

- (1) Five hundred dollars (\$500.00) per day, commencing five (5) working days after notification of damage or need or repair if reasonable efforts have not been made to repair damage, until such time that repairs are completed to the satisfaction of the department of public works.
- (2) Two hundred fifty dollars (\$250.00) for lack of notification to City or Residents, if required. Each day of violation shall constitute a separate offense. Nothing herein contained shall prevent the city from taking such other lawful actions as necessary to prevent or remedy the violation.
- (3) Five hundred dollars (\$500.00) per day, commencing on the thirty-first day following the date of written request, for failing to respond to a written request for a utility company to identify the location and depth of a utility line that has been placed within a city right-of-way.

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

A vote was then called with the results as follows:

YEAS: 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 July, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

The next item on the agenda is a public hearing on ordinance amending Chapter 17 of the Code of Ordinances of the City of Sulphur, Louisiana, to provide for Article VI (Moving of Utility Lines, Poles, Etc.) and Article VII (Franchise Agreements). Motion was made by Mrs. Abshire seconded by Mrs. Thomas that the following ordinance be adopted to-wit:

ORDINANCE NO. 1926, M-C SERIES

ORDINANCE AMENDING CHAPTER 17 OF THE CODE OF ORDINANCES OF THE CITY
OF SULPHUR TO PROVIDE FOR ARTICLE VI (MOVING OF UTILITY LINES, POLES,
ETC.) AND ARTICLE VII (FRANCHISE AGREEMENTS)

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby amending Chapter 17 of the Code of Ordinances of the City of Sulphur to provide for Articles VI and VII to read as follows:

ARTICLE VI. MOVING OF UTILITY LINES, POLES, ETC.

Sec. 17-80. Duties of city engineer; utility companies and contractor in relation to construction, alteration, or repair of public works.

- (a) *City engineer to notify utility companies.* Whenever the City of Sulphur enters into a contract for the construction, alteration or repair of any public works, the city engineer of the City of Sulphur, Louisiana, shall, before the issuance of any work order and before the commencement of any work, give notice of such contract in writing, accompanied by a plat or diagram showing the location of the proposed work, to all utility, communication and public service companies, and all such agencies and boards who furnish any utility, gas, water, electrical, communication, sewerage, or drainage services which may have poles or underground pipes, cables or any other installation which may be within the right-of-way where the public work is to be constructed, altered or repaired.
- (b) *Utility companies to provide location of utility installation.* Said written notice shall require the person, partnership, corporation, board or agency so notified to furnish to the City of Sulphur within a period of 30 days after receipt of notice, unless the time is extended by the city engineer of the City of Sulphur, a diagram or plat showing the location of such utility installation on or under the right-of-way, a copy of which shall be furnished by the City of Sulphur to the contractor before the commencement of such work.
- (c) *City engineer to notify utilities to relocate facilities, time schedule.* After receipt of such diagram or plat, the city engineer shall notify the person, partnership, corporation, board or agency of the necessity for relocation of its facilities to another location within the right-of-way. The city engineer shall coordinate the relocation of all installations within the work project by all utilities; and after being apprised by each affected utility as to the size, scope, expense and time requirement of its relocation, shall set a reasonable time before commencement of the work or a reasonable time schedule during the progress of the work after commencement for the moving or relocation of such installations. If a time schedule is adopted by the city engineer, the contractor shall have the continuing obligation to notify each utility of its work progress and necessity for the relocation of installations within the time schedule as work progresses under the contract.
- (d) *City and contractor relieved of responsibility if not furnished with diagram by utility.* If the diagram or plat required of the utility is not furnished to the city engineer within the time specified or any extension thereof, the work order may be issued and the work commenced; and under such circumstances, the City of Sulphur and the contractor shall be relieved from any responsibility in connection with damage to such installations.

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- (e) *Responsibility of utilities to restore disturbed areas.* When required to uncover, adjust, move or relocate its installation, each such utility, communication and public service companies, and all such agencies and boards who furnish any utility, gas, water, electrical, communication, sewerage, or drainage services shall restore all areas so disturbed in accordance with the specifications with the city engineer.
- (f) *Duty of utilities to verify location; violation; penalty.* Where a plat is timely furnished, each such utility, communication and public service companies, and all such agencies and boards who furnish any utility, gas, water, electrical, communication, sewerage, or drainage services shall be obligated to verify the location of its installation shown thereon or to physically locate and uncover its installations within a time or time schedule set by the city engineer. Failure to verify the location or to physically locate and uncover its installation within the specified time or failure to relocate or move its installation within the time or time schedule specified by the city engineer shall result in the imposition of a fine of \$500.00 per day for each day for each installation for which such dereliction continues.
- (g) *Duties of contractor.* The contractor shall have the continuing obligation to immediately notify the city engineer and any such affected utility, communication and public service companies, and all such agencies and boards who furnish any utility, gas, water, electrical, communication, sewerage, or drainage services of any installation within the contractor's knowledge that conflicts with the conduct of its work under the contract.

ARTICLE VII. FRANCHISE AGREEMENTS

Sec. 17-81. – Franchise Agreements.

The city reserves the right and prefers to enter into franchise agreements with utility providers who intend to locate their facilities and infrastructure within city rights-of-way. Accordingly, in the event that a franchise agreement exists, the city reserves the right to deviate from the requirements of articles II and VI of this chapter.

Sec. 17-82. – Absence of franchise agreement.

In the absence of a franchise agreement, all utilities which seek to locate their facilities an infrastructure in city right-of-way shall be required to pay an annual payment of \$5.00 per linear foot for each linear foot in which they located utilities in city right-of-way. Such payment shall be made prior to the issuance of a permit for installation of the utility. After the initial payment, the annual payment shall become due and owing on the first day of the following year, subject to pro-ration based upon the date of original installation. In the event that the annual payment has not been received by the city on or before March 1 of the year following installation, and March 1 of all subsequent years, the city shall have the right to remove the utility with no recourse to the owner of such utility. By placing such utilities in the right-of-way of the city, utility providers acknowledge and agree to the provisions of this section.

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

A vote was then called with the results as follows:

YEAS: 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 July, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

The next item on the agenda is a public hearing on ordinance authorizing Mayor Danahay to sign Emergency Shelter and Staging Agreement with Beauregard Parish School Board for temporary shelter and emergency equipment staging area at Singer High School for Hurricane 2024 Season for the City of Sulphur. Motion was made by Mrs. Hardy seconded by Mrs. Ellender that the following ordinance be adopted to-wit:

ORDINANCE NO. 1927, M-C SERIES

ORDINANCE AUTHORIZING MAYOR DANAHAHAY TO SIGN
EMERGENCY SHELTER AND STAGING AGREEMENT WITH BEAUREGARD
PARISH SCHOOL BOARD FOR TEMPORARY SHELTER AND EMERGENCY
EQUIPMENT STAGING AREA AT SINGER HIGH SCHOOL FOR HURRICANE
2024 SEASON FOR THE CITY OF SULPHUR.

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 Emergency Shelter and Staging Agreement with Beauregard Parish School Board for temporary shelter and emergency equipment staging area at Singer High School for Hurricane 2024 Season for the City of Sulphur.

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

A vote was then called with the results as follows:

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

And the said ordinance was declared duly adopted on this 8th day of July, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, 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 1404 Peachtree Road, in accordance with Article IX, Section 5-286 through 5-296 of the Code of Ordinances.

Mrs. VanderHey, Ordinance Enforcement, stated that the dumpster has been removed, the pool is gone, and the building is secure. Mrs. Abshire stated that it's past time for them to be complete. They've been working a long time on this house. She wants to grant a month-to-month extension with September 9, 2024, being their completion date. Motion was then made by Mrs. Abshire seconded by Mrs. Hardy that a 30-day extension be granted.

Motion carried unanimously.

- b. To condemn building or structure located at 424 Louisiana Avenue, in accordance with Article IX, Section 5-286 through 5-296 of the Code of Ordinances.

Mrs. VanderHey stated that this house has been vacant since Hurricane Rita. People come and go in this house. It was on the PPDR list but was denied and now it's for sale. Mrs. Abshire stated that the Council needs a mediation report to continue. It's in very bad shape. Mr. Cole, City Attorney, stated that Council should RTSC, and they'll have 30 days to submit report and if they don't then the Council can condemn. Motion was then made by Mrs. Abshire seconded by Mrs. Hardy that if a mediation report isn't submitted within 30 days, the property will be condemned.

Motion carried unanimously.

- c. To condemn building or structure located at 635 Lyons Street, in accordance with Article IX, Section 5-286 through 5-296 of the Code of Ordinances.

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

Motion carried unanimously.

- d. To condemn building or structure located at 312 North Beglis Parkway, in accordance with Article IX, Section 5-286 through 5-296 of the Code of Ordinances.

Mrs. VanderHey stated that the owners did some demolition work but then stopped. The back yard is full of hornets. Motion was made by Mrs. Ellender seconded by Mrs. Abshire that the above address be condemned.

Motion carried unanimously.

The next item on the agenda is Rule to Show Cause for dead or diseased tree removal on private property for the following addresses:

- a. To remove dead or diseased tree located at 611 Cass Street, in accordance with Chapter 17, Article I of the Code of Ordinances.

Mrs. Domingue, daughter of owner, stated that her father is ill, and she has COPD. She's trying to get her son from Houston to come and cut the tree down. Mr. Cole, City Attorney, stated that he has to be an arborist. Motion was made by Mrs. Ellender seconded by Mrs. Hardy that 60 days be granted.

Motion carried unanimously.

The next item on the agenda is a resolution authorizing the advertisement of bids for reconstruction of Animal Control. Motion was made by Mrs. Thomas seconded by Mrs. Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 3596, M-C SERIES

RESOLUTION AUTHORIZING THE ADVERTISEMENT OF BIDS FOR RECONSTRUCTION
OF ANIMAL CONTROL

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize advertisement of bids for reconstruction of Animal Control, said bids to be in accordance with the quantities and specifications on file with Randy M. Goodloe Architect, 725 Kirby Street, Lake Charles, LA 70601.

BE IT FURTHER RESOLVED that the advertisement of bids will be in “The American Press, the official journal of the City of Sulphur, in three separate publications, giving notice as follows:

NOTICE TO BIDDERS

Separate and sealed bids for the advertisement of bids for reconstruction of Animal Control will be received by the Clerk of the Council until 10:00 a.m. on the 6th day of August, 2024, at which time bids will be opened and read aloud in an open and public bid opening session to be conducted by the Director of Public Works in the Conference Room at the City Hall, and the City Council shall at a regular meeting on the 12th day of August, 2024, at 5:30 p.m. proceed to award the bid to the lowest bidder, to waive irregularities, or to reject any and all bids, or otherwise proceed thereto as provided by law.

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 July, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

The next item on the agenda is a resolution requesting the Request for Proposals for Water Meter Program (Phase 1). Mr. Abrahams, Director of Public Works, stated that this Phase is for all commercial meters.

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

RESOLUTION NO. 3597, M-C SERIES

Resolution authorizing the Request for Proposals for Water Meter Program Phase I.

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 Water Meter Program Phase I, quantities and specifications on file with Meyer & Associates, 600 North Cities Service Hwy., Sulphur, LA 70663.

BE IT FURTHER RESOLVED that the advertisement of Request For Proposals will be in “The American Press, the official journal of the City of Sulphur, in three separate publications, giving notice as follows:

REQUEST FOR PROPOSALS

Sealed proposals for Water Meter Program Phase I, will be received by the Clerk of the Council until 10:00 a.m. on the 9th day of August, 2024, at which time proposals will be opened and read aloud in an open and public session to be conducted by the Director of Public Works in the Conference Room at the City Hall, and the City Council shall at a regular meeting on the 12th day of August, 2024, at 5:30 p.m. proceed to award the proposal, to waive irregularities, or to reject any and all proposals, or otherwise proceed thereto as 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 resolution was declared duly adopted on this 8th day of July, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

The next item on the agenda is a resolution appointing a member to the Fire and Police Civil Service Board. Motion was made by Mrs. Thomas seconded by Mrs. Abshire that the following resolution be adopted to-wit:

RESOLUTION NO. 3598, M-C SERIES

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

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby appoint Justin Sittig to the Sulphur Municipal Fire and Police Civil Service Board with term beginning July 30, 2024, and expiring on July 29, 2027.

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 July, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

The next item on the agenda is a resolution authorizing the advertisement of bids for the Wastewater Treatment Facility Emergency Power Generator and Automatic Transfer Switch Replacement – (Hurricane Laura damages). Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following resolution be adopted to-wit:

RESOLUTION NO. 3599, M-C SERIES

Resolution authorizing the advertisement of bids for the Wastewater Treatment Facility Emergency Power Generator and Automatic Transfer Switch Replacement – (Hurricane Laura damages).

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize advertisement for bids for the Wastewater Treatment Facility Emergency Power Generator and Automatic Transfer Switch Replacement – (Hurricane Laura damages), said bid to be in accordance with the quantities and specifications on file with the.

BE IT FURTHER RESOLVED that the advertisement of bids will be in “The American Press, the official journal of the City of Sulphur, in three separate publications, giving notice as follows:

NOTICE TO BIDDERS

Separate and sealed bids for Sulphur Regional Wastewater Treatment Facility Emergency Power Generator and Automatic Transfer Switch Replacement – Hurricane Laura Damages DR4559-LA FEMA CAT E-Construction, City of Sulphur; M.A. Project No. A9-21131-DA will be received by the Mayor and City Council, at City Hall, 101 North Huntington Street, Sulphur, Louisiana 70663 until 11:00 AM (Central Daylight Savings Time), on August 8, 2024 and then at said time and at said office publicly opened and read aloud. Scope of work includes the removal and offsite disposal of existing damaged 2.5 Megawatt Emergency Power Diesel Generator and Automatic Transfer Switch and furnishing and installation of two (2) new 1.5 Megawatt Emergency Power Diesel Generators and Automatic Transfer Switch all as detailed on the Plan Drawings and as specified in the Technical Provisions.

Work Classification: Electrical work (Statewide)

Obtaining the Bidding Documents

Electronic copies of the Bidding Documents may also be obtained from the Issuing Office of Meyer & Associates, Inc. (337) 625-8353, located at 600 N. Cities Service Hwy., Sulphur, LA 70663. A bidding document deposit is not required. In order to submit a bid, Bidders must obtain an original set of electronic Bidding

Documents from Meyer & Associates, Inc. for the approved electronic bid website defined herein said advertisement.

Access to electronic bidding is available through the Bidding Documents Website <http://www.centralbidding.com>.

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 July, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

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

RESOLUTION NO. 3600, M-C SERIES

Resolution authorizing the advertisement of bids for the annual supply of chlorine for the City of Sulphur

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize advertisement for bids for the annual supply of chlorine for the City, said bid to be in accordance with the quantities and specifications on file with the City of Sulphur Finance Department.

BE IT FURTHER RESOLVED that the advertisement of bids will be in “The American Press, the official journal of the City of Sulphur, in three separate publications, giving notice as follows:

NOTICE TO BIDDERS

Separate and sealed bids for the advertisement of bids for the annual supply of chlorine for the City will be received by the Clerk of the Council until 10:00 a.m. on the 6th day of August 2024, at which time bids will be opened and read aloud in an open and public bid opening session to be conducted by the Director of Finance in the Conference Room at City Hall, and the City Council shall at a regular meeting on the 12th day of August, 2024, at 5:30 p.m. proceed to award the bid to the lowest bidder, to waive irregularities, or to reject any and all bids, or otherwise proceed thereto as provided by law. Bids are also available electronically at www.centralbidding.com; free membership is required to access. Said bids to be in accordance with the quantities

and specifications on file with the City of Sulphur Finance Department located at 101 North Huntington Street, Sulphur, Louisiana

CITY OF SULPHUR, LOUISIANA
BY _____
NICK NEZAT, Chairman

BE IT FURTHER RESOLVED that the City Council of the City of Sulphur, Louisiana will meet in open and public session at their temporary location, 1551 East Napoleon Street, in the Council Chambers on the 12th day of August, 2024, at 5:30 p.m. and shall then and there proceed to award the bids to the lowest bidder or to reject any and all bids, otherwise proceed thereto as provided by law.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 8th day of July, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

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

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

7/8/24
6:25 P.M.